AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Delaware on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	1/6/2022	for the District of Delaware

PLAINTIFF	DEFENDANT
PERCEPT TECHNOLOGIES INC.	

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	US 8,696,113 B2	4/15/2014	Percept Technologies Inc.
2	US 9,010,929 B2	4/21/2015	Percept Technologies Inc.
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 3/04)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Nevada on the following ☑ Patents or ☐ Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
2:15-cv-02387	12/16/2015	Nevada

PLAINTIFF	DEFENDANT
Percept Technologies, Inc	FOVE, INC

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	9010929		see attached Complaint
2			
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
Lance S. Wilson	NEV	12/16/2015

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of Nevada on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
2:18-cv-00029-RFB-VCF	1/8/2018	District of Nevada

PLAINTIFF	DEFENDANT
Percept Technologies Inc.	Beijing 7Invensun Technology Co., Ltd.

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 ~~Complaint attached~~		
2 7758185		
3 8353594		
4 9010929		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
/s/ Debra K. Kempi	/s/ S. Denson	1/8/2018

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	

CONFIRMATION NO. 8057

22883
Los Altos Law
Los Altos Law
P.O. Box 1024
Los Altos, CA 94023

POA ACCEPTANCE LETTER

OC000000083517535

Date Mailed: 06/09/2016

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/03/2016.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/rmturner myles/

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	

CONFIRMATION NO. 8057

29141
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

POWER OF ATTORNEY NOTICE

OC000000083517519

Date Mailed: 06/09/2016

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/03/2016.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/rmturner myles/

PTO/AIA/82B (07-12)
Approved for use through xx/xx/xxxx OMB 0651-0035
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.

POWER OF ATTORNEY BY APPLICANT

☑ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

OR **22883**

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

Name Registration	Number

Name Registration	Number

Please recognize or change the correspondence address for the above-identified patent to:

☑ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name	Los Altos Law Inc				
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant:

☐ Inventor or Joint Inventor

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign

☐ Person Who Otherwise Shows Sufficient *Proprietary* Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature		Date	5/2/16
Name	Scott Lewis	Telephone	408 871 7843
Title and Company	President, Percept Technologies Inc.		

NOTE: Signature - This form must be signed by the applicant or applicant's representative in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms for more than one signature, see below *.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance *in completing the form, call* 1-800-PTO-9199 *and select option 2.*

Electronic Acknowledgement Receipt

EFS ID:	25957825
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Steven Akiba Swernofsky/Sarah Swernofsky
Filer Authorized By:	Steven Akiba Swernofsky
Attorney Docket Number:	3448C-3
Receipt Date:	03-JUN-2016
Filing Date:	11-JAN-2013
Time Stamp:	01:58:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	GeneralPOAPCPPerceptTechSigned.PDF	172477 6c875c49f7566a547ad76208b11744ad25b9e485	no	1

Warnings:	
Information:	

Total Files Size (in bytes):	172477

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	04/21/2015	9010929	3448C-3	8057

29141 7590 04/01/2015

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Percept Technologies Inc., Las Vegas, NV, Assignee (with 37 CFR 1.172 Interest);
Scott W. Lewis, Los Gatos, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. 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 contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. LEWIS
Art Unit	2872
Examiner Name	D. Collins
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	RE39539		2007-04-03	Torch	
	2	4659197		1987-04-21	Weinblatt	
	3	6231183		~~2001-03-15~~ 05/2001	Dillon	
	4	7500747		2009-03-10	Howell et al.	
	5	4300818		1981-11-17	Schachar	
	6	5671035		1997-09-23	Barnes	
	7	6879443		2005-04-12	Spitzer et al.	
	8	7484847		2009-02-03	Fuziak	

Change(s) applied to document, /C.C.B./ 1/22/2015

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 03/04/2015
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. Lewis
Art Unit	2872
Examiner Name	COLLINS, DARRYL J
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	4279474		1981-07-21	Belgorod	
/DJC/	2	5305012		1994-04-19	Faris	
/DJC/	3	5552841		1996-09-03	Gallorini et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	20020044152		2002-04-18	Abbott, III et al.	
/DJC/	2	20020075210		2002-06-20	Nestorovic et al.	
/DJC/	3	20060110008		2006-05-25	Vertegaal et al.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 03/04/2015	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

/DJC/	4	20060146275		2006-07-06	Mertz	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2]	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature	/Darryl J. Collins/	Date Considered	03/17/2015

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 03/04/2015	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2015-03-04
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 03/04/2015

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

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.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

29141 7590 03/23/2015

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER
COLLINS, DARRYL J

ART UNIT	PAPER NUMBER
2872	

NOTIFICATION DATE	DELIVERY MODE
03/23/2015	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com

Corrected Notice of Allowability	**Application No.** 13/739,929	**Applicant(s)** LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	**Art Unit** 2872	**AIA (First Inventor to File) Status** No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the IDS filed on 24 February 2015 and 04 March 2015*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are *1-5 and 7-23*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 02242015 & 03042015
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
5. ☐ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/Darryl J. Collins/
Primary Examiner
Art Unit: 2872

UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/739,929	11 January, 2013	LEWIS, SCOTT W.	3448C-3

		EXAMINER	
Sawyer Law Group, P.C. P.O. Box 51418 Palo Alto, CA 94303		DARRYL J. COLLINS	
		ART UNIT	PAPER
		2872	20150317

DATE MAILED:

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

Commissioner for Patents

The information disclosure statements (IDS) submitted on February 24, 2015 and March 4, 2015 have been considered by the examiner.

/Darryl J. Collins/
Primary Examiner
Art Unit: 2872

PTO-90C (Rev.04-03)

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

EFS Web 2.1.17

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 02/24/2015	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

/DJC/	1	The International Search Report and the Written Opinion of the International Searching Authority for International Application No. PCT/US2014/029520, mailed December 1, 2014 (5267PCT)	☐

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

EXAMINER SIGNATURE

Examiner Signature	/Darryl J. Collins/	Date Considered	03/17/2015

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 02/24/2015	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2015-02-24
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 02/24/2015

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

29141 7590 12/16/2014
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

TITLE OF INVENTION: DIGITAL EYEWEAR

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	03/16/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
COLLINS, DARRYL J	2872	351-158000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list Sawyer Law Group, P.C.
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
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3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: PERCEPT TECHNOLOGIES INC.
(B) RESIDENCE: (CITY and STATE OR COUNTRY): LAS VEGAS, NV

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:
☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (**Please first reapply any previously paid issue fee shown above**)
☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 02-2120 (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
☐ Applicant certifying micro entity status. See 37 CFR 1.29
NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
☐ Applicant asserting small entity status. See 37 CFR 1.27
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
☐ Applicant changing to regular undiscounted fee status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Joseph A. Sawyer, Jr./ Date 3/16/2015
Typed or printed name Joseph A. Sawyer, Jr. Registration No. 30,801

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Scott LEWIS	Confirmation No: 8057
Serial No: 13/739,929	Group Art Unit: 2872
Filed: 1/11/2013	Examiner: Collins, Darryl J.
For: DIGITAL EYEWEAR	

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that the identified limitations with respect to independent claims 1, 5, 7, 10, 11, 12, 13, 16, 17, 18, 20, 21 and 23 are the only grounds for patentability of the allowed claims. Furthermore, the claims may be patentable for other reasons. In addition, Applicant notes that the dependent claims may also be allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Respectfully submitted,

SAWYER LAW GROUP, P.C.

March 16, 2015
Date

/Joseph A. Sawyer, Jr./
Joseph A. Sawyer, Jr.
Attorney for Applicants
Reg. No. 30,801
(650) 493-4540

Electronic Patent Application Fee Transmittal

Application Number:	13739929
Filing Date:	11-Jan-2013
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Jackie Tanda
Attorney Docket Number:	3448C-3

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	480	480

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**480**

Electronic Acknowledgement Receipt	
EFS ID:	21782491
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Jackie Tanda
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	16-MAR-2015
Filing Date:	11-JAN-2013
Time Stamp:	17:31:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

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Payment Type	Deposit Account
Payment was successfully received in RAM	$480
RAM confirmation Number	3675
Deposit Account	022120
Authorized User	
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	3448C-3_IssueFeeTransmittal.pdf	89270 1f46f1e1e24b3c4ea6a99e7183f41ca6a2fe0f9f	no	1
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	3448C-3_Comments.pdf	15475 ba0e5ea3f42a57df655164f8c626ee40952f4b47	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30219 f88ed3d0fffc5f0b41c150ea4638f3d8420bbc1b	no	2
Warnings:					
Information:					
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<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

<u>National Stage of an International Application under 35 U.S.C. 371</u>
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. 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 contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. Lewis
Art Unit	2872
Examiner Name	COLLINS, DARRYL J
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	4279474		1981-07-21	Belgorod	
	2	5305012		1994-04-19	Faris	
	3	5552841		1996-09-03	Gallorini et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20020044152		2002-04-18	Abbott, III et al.	
	2	20020075210		2002-06-20	Nestorovic et al.	
	3	20060110008		2006-05-25	Vertegaal et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

	4	20060146275		2006-07-06	Mertz	

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FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2015-03-04
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	13739929
Filing Date:	11-Jan-2013
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Jackie Tanda
Attorney Docket Number:	3448C-3

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
		Total in USD ($)		**90**

Electronic Acknowledgement Receipt	
EFS ID:	21673295
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Jackie Tanda
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	04-MAR-2015
Filing Date:	11-JAN-2013
Time Stamp:	14:50:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$90
RAM confirmation Number	1278
Deposit Account	022120
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	611996 fc8e1dad495613841e3d32d132aa45ea24e3b280	no	4
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30296 2e410afc43f90417886efb89e8b5e70b1346416d	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	642292		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

29141 7590 02/24/2015

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER
COLLINS, DARRYL J

ART UNIT	PAPER NUMBER
2872	

NOTIFICATION DATE	DELIVERY MODE
02/24/2015	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com

Corrected Notice of Allowability	**Application No.** 13/739,929	**Applicant(s)** LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	**Art Unit** 2872	**AIA (First Inventor to File) Status** No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the IDS filed 08 January 2015*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are *1-5 and 7-23*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 01082015
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
5. ☐ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/Darryl J. Collins/
Primary Examiner
Art Unit: 2872

UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/739,929	11 January, 2013	LEWIS, SCOTT W.	3448C-3

		EXAMINER	
Sawyer Law Group, P.C. P.O. Box 51418 Palo Alto, CA 94303		DARRYL J. COLLINS	
		ART UNIT	PAPER
		2872	20150218

DATE MAILED:

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

Commissioner for Patents

The information disclosure statement (IDS) submitted on January 8, 2015 has been considered by the examiner. It should be noted that the citation appearing as lined through has not been considered by the examiner as a copy of the citation was not provided for the examiner's review.

/Darryl J. Collins/
Primary Examiner
Art Unit: 2872

PTO-90C (Rev.04-03)

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	425	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	USPAT	OR	OFF	2013/06/24 15:33
S2	5	S1 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:34
S3	798	((head near3 up) same display).clm.	USPAT	OR	ON	2013/06/24 15:37
S4	6	S3 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:37
S5	7321	((351/158) or (285/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S6	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S7	338	S6 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:47
S8	4217	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:48
S10	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 08:27
S11	29	S10 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S12	338	S10 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/27 08:27

			DERWENT; IBM_TDB			
S13	3	S11 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S14	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S15	23	S14 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S16	26	S13 or S15	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S17	23	lens same ((eye near2 (track$3 or respons$4 or movement)) near6 cursor)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:52
S18	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:56
S19	247	S18 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 09:56
S20	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S21	338	S20 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S22	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S23	29	S22 and oculometer	US-PGPUB;	OR	ON	2013/06/27

			USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			09:57
S24	338	S22 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S25	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S26	214	S19 not (S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 09:57
S27	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:17
S28	268	S27 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 10:17
S29	2463	S27 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S30	16	S28 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S31	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:22
S32	91	S31 not (S19 or S21 or S23 or S24 or S25 or S28)	USPAT	OR	OFF	2013/06/27 10:29
S33	53	(("20120147043") or ("RE39539") or ("4659197") or ("6231183") or ("7500747") or ("4300818") or ("5671035") or ("6879443") or ("7484847") or ("7758185") or ("7918556") or ("20050001981") or ("20040097839") or ("20040212776") or ("20060023158") or ("20050248722") or ("20050097179") or ("20060093998") or ("20060132382") or ("20100045928") or ("20100145729") or ("20050248722") or ("20050097179") or ("20100079356") or ("20100110368")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 10:36
S34	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/06/27 14:36

			IBM_TDB			
S35	247	S34 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S36	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S37	338	S36 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S38	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S39	29	S38 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S40	338	S38 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S41	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S42	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S43	268	S42 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S44	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S45	536	S44 or S35 or S37 or S39 or S40 or S41 or S43	USPAT	OR	OFF	2013/06/27 14:36
S46	165	S45 and reality	USPAT	OR	OFF	2013/06/27 14:37

S47	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 15:43
S48	247	S47 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 15:43
S49	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S50	247	S49 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S51	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S52	338	S51 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S53	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S54	29	S53 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S55	338	S53 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S56	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S57	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11

S58	268	S57 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S59	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S60	536	S59 or S50 or S52 or S54 or S55 or S56 or S58	USPAT	OR	OFF	2013/06/27 16:11
S61	38	S60 and (lighten or darken)	USPAT	OR	OFF	2013/06/27 16:11
S62	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:05
S63	1	S62 and (eye near4 track$4)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:06
S64	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:08
S65	364	S64 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:08
S66	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:09
S67	30	S66 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S68	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S69	531	S68 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/10 15:10

			IBM_TDB			
S70	367	S65 or S67	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S71	843	S69 or S70	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S72	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S73	364	S72 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S74	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S75	30	S74 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S76	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S77	531	S76 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S78	367	S73 or S75	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S79	843	S77 or S78	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 14:50

			IBM_TDB			
S80	781	S79 and (phone or computer or laptop or display or portable)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S81	490	S80 and (contrast or shading or opacity)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:53
S82	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 15:19
S83	0	S82 and (inverse near2 shading)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S84	7	S82 and shading	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S85	675	S79 and (view$3 same (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S86	584	S79 and (view$3 near6 (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S87	125	S79 and ((contrast or shading or opacity) same (view$3 near6 (phone or computer or laptop or display or portable)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:27
S88	301	S79 and ((stack$3 or layer$3) same (pixel or lens))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 16:12
S89	113	S79 and (object near2 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 16:26

			IBM_TDB			
S90	4	"8353594"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:42
S91	2	("7918556").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:44
S92	4	(("7758185") or ("20070081123")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:47
S93	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:00
S94	4472	S93 and (circuit$3 or electronic)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:01
S95	1075	S93 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:02
S96	181	S95 and ((information near2 bar) or menu or icon)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:13
S97	2	("20060023158").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:27
S98	2	("20060093998").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 10:35
S99	727	S95 and reflect$3	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/11/05 10:43

			IBM_TDB			
S100	162	S95 and (reflect$3 near2 lens)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 10:43
S101	4407	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S102	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 13:54
S103	12530	S101 or S102	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S104	85	S103 and lewis.in.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S105	218409	S104 adn lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S106	28	S104 and lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S107	25	"6231183"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 14:21
S108	1207	S102 and (logo or decorative or symbol)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:22
S109	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/11/05 14:24

			IBM_TDB			
S110	1075	S109 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S111	243	S110 and S108	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S112	315	(D16/101).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:17
S113	72	(351/159.69).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:23
S114	2	S113 and logo	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:25
S115	37665	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 11:54
S116	8928	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 11:55
S117	45258	S115 or S116	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 11:55
S118	2867	S117 and (digital near2 camera)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 11:55
S119	353	S118 and (eye near2 (track$3 or respons$4 or movement or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 11:56
S120	2	("20100053549").PN.	US-PGPUB; USPAT; USOCR;	OR	OFF	2014/04/21 12:59

			EPO; JPO; DERWENT; IBM_TDB			
S121	37665	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 13:30
S122	8928	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 13:30
S123	45258	S121 or S122	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 13:30
S124	94	S123 and ((download$4 or updat$4) same prescription)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:30
S125	13300	S123 and (face or facial)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:53
S126	740	S123 and ((face or facial) near5 (movement or expression))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:53
S127	115	S123 and (respons$4 same ((face or facial) near5 (movement or expression)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:58
S128	7407	S123 and voice	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:13
S129	2440	S123 and (voice near4 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:13
S130	15236	S123 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:20
S131	1335	S121 and S122	US-PGPUB;	OR	ON	2014/04/21

			USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			14:21
S132	145	S131 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:21
S133	682	S123 and ((subscribe or download) same music)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:24
S134	31452	(eyewear or eyeglasses or spectacles or goggles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 14:32
S135	34809	S122 or S134	USPAT	OR	ON	2014/04/21 14:32
S136	53	S135 and ((subscribe or download) same music)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:32
S137	71	(US-20050206583-$ or US-20090103044-$ or US-20100110368-$ or US-20110043644-$ or US-20110109528-$ or US-20110221659-$ or US-20110241976-$ or US-20120021806-$ or US-20120188148-$ or US-20130208482-$ or US-20130208234-$ or US-20130201080-$ or US-20130187943-$ or US-20130170031-$ or US-20130163089-$ or US-20130162673-$ or US-20130162505-$ or US-20130147838-$ or US-20130147687-$ or US-20130127980-$ or US-20130114043-$ or US-20120293773-$ or US-20120212414-$ or US-20120194553-$ or US-20120068913-$ or US-20060023158-$).did. or (US-20120081657-$ or US-20100066972-$ or US-20070081121-$ or US-20140028967-$ or US-20100289723-$).did. or (US-4848890-$ or US-4852988-$ or US-4884219-$ or US-5331149-$ or US-5412439-$ or US-5467104-$ or US-5583335-$ or US-5703637-$ or US-5742264-$ or US-5751260-$ or US-5757339-$ or US-5991085-$ or US-6198462-$ or US-6307526-$ or US-6373961-$ or US-6608615-$ or US-6636185-$ or US-6710927-$ or US-6847336-$ or US-6786610-$ or US-7190518-$ or US-8235529-$ or US-8135227-$ or US-6456438-$ or US-7651220-$ or US-7744214-$).did. or (US-5671035-$ or	US-PGPUB; USPAT; USOCR	OR	OFF	2014/04/22 07:50

		US-5583795-$ or US-5844530-$ or US-6222508-$ or US-8353594-$ or US-7918556-$ or US-7758185-$ or US-6231183-$ or US-7448751-$ or US-6099124-$ or US-6491391-$ or US-7738179-$ or US-7677734-$).did. or (US-1615067-$).did.				
S138	19	S137 and ((caller near2 ID) or (e adj mail))	US-PGPUB; USPAT; USOCR	OR	ON	2014/04/22 07:51
S139	34	S137 and media	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:21
S140	59	S137 and (eye near2 (track$4 or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:33
S141	22	S137 and noise	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:41
S142	523	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	USPAT	OR	OFF	2014/12/08 07:42
S143	8	S142 and (eye near5 track$3).clm.	USPAT	OR	OFF	2014/12/08 07:42
S144	945	((head near3 up) same display).clm.	USPAT	OR	ON	2014/12/08 07:42
S145	8	S144 and (eye near5 track$3).clm.	USPAT	OR	OFF	2014/12/08 07:42
S146	9766	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:42
S147	489	S146 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S148	5044	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S149	9766	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2014/12/08 07:42

			IBM_TDB			
S150	32	S149 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S151	489	S149 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S152	33	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S153	9398	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S154	338	S153 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2014/12/08 07:42
S155	496	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S156	5779	S143 or S145 or S147 or S148 or S150 or S151 or S152 or S154 or S155	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:42
S157	2316577	@pd>="20140401"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:43
S158	578	S156 and S157	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:44
S159	43649	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/12/08 08:02
S160	9766	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02

S161	51997	S159 or S160	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S162	116	S161 and ((download$4 or updat$4) same prescription)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S163	14836	S161 and (face or facial)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S164	855	S161 and ((face or facial) near5 (movement or expression))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S165	132	S161 and (respons$4 same ((face or facial) near5 (movement or expression)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S166	9484	S161 and voice	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S167	3036	S161 and (voice near4 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S168	19587	S161 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S169	71	(US-20050206583-$ or US-20090103044-$ or US-20100110368-$ or US-20110043644-$ or US-20110109528-$ or US-20110221659-$ or US-20110241976-$ or US-20120021806-$ or US-20120188148-$ or US-20130208482-$ or US-20130208234-$ or US-20130201080-$ or US-20130187943-$ or US-20130170031-$ or US-20130163089-$ or US-20130162673-$ or US-20130162505-$ or US-20130147838-$ or US-20130147687-$ or US-	US-PGPUB; USPAT; USOCR	OR	OFF	2014/12/08 08:02

		20130127980-$ or US-20130114043-$ or US-20120293773-$ or US-20120212414-$ or US-20120194553-$ or US-20120068913-$ or US-20060023158-$).did. or (US-20120081657-$ or US-20100066972-$ or US-20070081121-$ or US-20140028967-$ or US-20100289723-$).did. or (US-4848890-$ or US-4852988-$ or US-4884219-$ or US-5331149-$ or US-5412439-$ or US-5467104-$ or US-5583335-$ or US-5703637-$ or US-5742264-$ or US-5751260-$ or US-5757339-$ or US-5991085-$ or US-6198462-$ or US-6307526-$ or US-6373961-$ or US-6608615-$ or US-6636185-$ or US-6710927-$ or US-6847336-$ or US-6786610-$ or US-7190518-$ or US-8235529-$ or US-8135227-$ or US-6456438-$ or US-7651220-$ or US-7744214-$).did. or (US-5671035-$ or US-5583795-$ or US-5844530-$ or US-6222508-$ or US-8353594-$ or US-7918556-$ or US-7758185-$ or US-6231183-$ or US-7448751-$ or US-6099124-$ or US-6491391-$ or US-7738179-$ or US-7677734-$).did. or (US-1615067-$).did.				
S170	19	S169 and ((caller near2 ID) or (e adj mail))	US-PGPUB; USPAT; USOCR	OR	ON	2014/12/08 08:02
S171	34	S169 and media	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S172	59	S169 and (eye near2 (track$4 or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S173	22	S169 and noise	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S174	31034	S162 or S163 or S164 or S165 or S166 or S167 or S168 or S170 or S171 or S172 or S173	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S175	5574	S174 and S157	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:03

S188	10	(("7677723") or ("7629877") or ("20060061544") or ("20120056993") or ("20120242678")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/02/17 13:07

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S176	772	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	US-PGPUB; UPAD	OR	OFF	2014/12/08 08:07
S177	1102	((head near3 up) same display).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:07
S178	1837	S176 or S177	US-PGPUB; UPAD	OR	ON	2014/12/08 08:07
S179	39	S178 and (eye near5 track$3).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:07
S180	2241	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; UPAD	OR	OFF	2014/12/08 08:08
S181	66	S180 and (eye near5 track$3).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:08
S182	94	S179 or S181	US-PGPUB; UPAD	OR	ON	2014/12/08 08:08
S183	9059	lewis.in.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:12
S184	32	S183 and (eye near5 (track$3 or sensor or motion)).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:15
S185	39	S179 and (eye near5 (track$3 or sensor or motion)).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:15
S186	68	S178 and (eye near5 (track$3 or sensor or motion)).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:15
S187	93	S184 or S186	US-PGPUB; UPAD	OR	ON	2014/12/08 08:16

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Receipt date: 01/08/2015
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. 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 contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. Lewis
Art Unit	2872
Examiner Name	COLLINS, DARRYL J
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	7677723		2010-03-16	Howell et al.	
/DJC/	2	7629877		2009-12-08	Lvovskiy et al.	

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U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	20060061544		2006-03-23	Min et al.	
/DJC/	2	20120056993		2012-03-08	Luqman et al.	
/DJC/	3	20120242678		2012-09-27	Border et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]

EFS Web 2.1.17

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 01/08/2015	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

	1							☐

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NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	The International Search Report and the Written Opinion of the International Searching Authority for International Application No. PCT/US2014/029520, mailed December 1, 2014 (5267PCT)	☐

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

EXAMINER SIGNATURE

Examiner Signature	/Darryl J. Collins/	Date Considered	02/17/2015

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 01/08/2015	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2015-01-08
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 01/08/2015

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
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U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
If you wish to add additional U.S. Published Application citation information please click the Add button.						Add

FOREIGN PATENT DOCUMENTS							Remove	
Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐
If you wish to add additional Foreign Patent Document citation information please click the Add button							Add	

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
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	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

	1	The International Search Report and the Written Opinion of the International Searching Authority for International Application No. PCT/US2014/029520, mailed December 1, 2014 (5267PCT)	☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	Examiner Name	COLLINS, DARRYL J
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☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2015-02-24
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: JOSEPH A. SAWYER, JR.
SAWYER LAW GROUP. P.C.
P.O. BOX 51418
PALO ALTO, CA 94303

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 5267PCT	Date of mailing *(day/month/year)* 01 DEC 2014 **FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US2014/029520	International filing date *(day/month/year)* 14 March 2014
Applicant PERCEPT TECHNOLOGIES, INC.	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   How? Directly to the International Bureau of WIPO preferably through ePCT or on paper to, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 – 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
   - ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.
   - ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

   Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

   Within **19 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the ISA/ Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer Blaine R. Copenheaver PCT Helpdesk: 571-272-4300 Telephone No. PCT OSP: 571-272-7774

Form PCT/ISA/220 (July 2014)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 5267PCT	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2014/029520	International filing date *(day/month/year)* 14 March 2014	(Earliest) Priority Date *(day/month/year)* 15 March 2013
Applicant PERCEPT TECHNOLOGIES, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 10 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).

c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (see Box No. II).

3. ☒ **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

Form PCT/ISA/210 (first sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2014/029520

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
see extra sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
1, 6-58

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2014/029520

A. CLASSIFICATION OF SUBJECT MATTER
IPC(8) - G09G 5/00 (2014.01)
CPC - G09G 5/00 (2014.09)
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC(8) - G02C 1/00, G09G 5/00, 5/02, H04W 4/14 (2014.01)
USPC - 345/all, 7, 8, 9, 351/158, 455/all, 566

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
CPC - G02C 1/00, G09G 5/00, 5/02, H04W 4/14 (2014.09) (keyword delimited)

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Orbit, Google Patents, Google Scholar,

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2012/0021806 A1 (MALTZ) 26 January 2012 (26.01.2012) entire document	1,6-13, 15, 20-21, 31, 34-35, 46, 55
---		---
Y		14, 16-19, 22-30, 32-33, 36-45, 47-54, 56-58
Y	US 2006/0061544 A1 (MIN et al) 23 March 2006 (23.03.2006) entire document	14, 23-29, 43-45
Y	US 7,677,723 B2 (HOWELL et al) 16 March 2010 (16.03.2010) entire document	16-19, 58
Y	US 7,629,877 B2 (LVOVSKIY et al) 08 December 2009 (08.12.2009) entire document	22
Y	US 2012/0056993 A1 (LUQMAN et al) 08 March 2012 (08.03.2012) entire document	26, 30, 32-33
Y	US 2012/0242678 A1 (BORDER et al) 27 September 2012 (27.09.2012) entire document	36-42, 47-54, 56-67

☐ Further documents are listed in the continuation of Box C. ☐

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
20 October 2014	01 DEC 2014
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Blaine R. Copenheaver PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/210 (second sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2014/029520

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claims 1, 6-58, drawn to a method of providing a wearable optics device, wherein parameters personalized to a user can be provided based upon user information.
Group II, claims 2-5, 171-174, 239-243, 459-463, drawn to a method of providing a wearable optics device which includes providing an enhancement utilizing objective and subjective quality standards based upon perceptual parameters.
Group III, claims 59-170, drawn to a wearable optics device comprising a lens.
Group IV, claims 175, 244-245, drawn to a method wherein the wearable optics device comprises one or more inserts into eyeglasses.
Group V, claims 176, drawn to a method wherein the eyeglasses comprises quad state eyeglasses
Group VI, claims 177-187, 246-251,395-396, 415, 444-447, 449-455, drawn to a method wherein shading control is utilized.
Group VII, claims 188, 252, drawn to a method wherein the wearable optics device comprises an electrochromatic material.
Group VIII, claims 189, 253, drawn to a method wherein the wearable optics device comprises an polychromatic material
Group IX, claims 190, 258, drawn to a method wherein the wearable optics device is utilized in a simulator.
Group X, claims 191, 259-260, drawn to a method wherein a focal of the wearable optics device is utilized.
Group XI, claims 192, 255-257, drawn to a method wherein the parameters include any or any combination of a zoom feature, a microscope feature, magnifying feature, illumination feature; a retinal projection feature.
Group XII, claims 193-194, 261-262, 357, drawn to a method wherein a focal of the wearable optics device is utilized.
Group XIII, claims 195-196, drawn to a method wherein an illumination feature is directed to a specific area.
Group XIV, claims 197-201, 263-264, drawn to wherein the wearable optics device comprises lenses to filter certain light waves for controlled viewing or visual effects.
Group XV, claims 202, 266, drawn to a method wherein an acoustic wave mechanism is utilized.
Group XVI, claims 203, drawn to a method wherein a brain wave mechanism is utilized.
Group XVII, claims 204, 267, drawn to a method herein a magnetic wave mechanism is utilized.
Group XVIII, claims 205-207, 268-269, 298-310, 315, drawn to a method wherein the wearable optics device is utilized in conjunction with an athletic event by a participant/spectator.
Group XIX, claims 208-209, 329-331, 358-365, 390, 443, drawn to a method wherein the method utilizes one or more camera components and one or more communication components to provide an augmented reality.
Group XX, claims 210-222, 270-280, drawn to a method herein sensory inputs are provided utilizing sensors.
Group XXI, claims 223-224, 281-282, drawn to a method wherein an input/output capability is integrated with the wearable optic device.
Group XXII, claims 225-226, 283-285, drawn to a method wherein different media can be overlaid/blended.
Group XXIII, claims 227-229, 286-288, drawn to a method wherein the parameters include a zoom feature to aid the medical doctor in performing the medical procedures.
Group XXIV, claims 230-236, 290-296, drawn to a method wherein the wearable optics device comprises a plurality of lenses on eyeglasses.
Group XXV, claims 237, 297, drawn to a method wherein the wearable optics device can view encoded images.
Group XXVI, claims 238, 456, drawn to a method wherein rapid motion encoding is utilized.
Group XXVII, claims 254, drawn to a device wherein shading, inverse shading, or occlusion is provided by the any or any combination of lens projector, retinal projection.
Group XXVIII, claims 265, 289, 327, 328, drawn to a device which includes stability control for facial or object focus.
Group XXIX, claims 311-314, drawn to a device wherein the wearable optics device can be utilized as binocular glasses.
Group XXX, claims 316-326, drawn to a device wherein the parameters are related to information for the user.
Group XXXI, claims 332-353, drawn to a device wherein audio wave technology is utilized.
Group XXXII, claims 354, drawn to a device wherein a physical display appears as a blurry screen to anyone not using the wearable optics device.
Group XXXIII, claims 355-356, drawn to a device wherein virtual reading features are provided.
Group XXXIV, claims 366-370, 402, drawn to a device wherein video conferencing is utilized.
Group XXXV, claims 371-374, drawn to a device wherein tools are utilized.
Group XXXVI, claims 375, drawn to a device wherein lip reading technology is utilized.
Group XXXVII, claims 376-380, drawn to a device wherein language translation is utilized.
Group XXXVIII, claims 381-383, drawn to a device wherein the wearable optics device is utilized to determine what the user is watching at any particular point.
Group XXXIX, claims 384-387, drawn to a device wherein the wearable optics device is utilized for identity and security information.
Group XL, claims 388, drawn to a device utilized as a teleprompter.
Group XLI, claims 389, drawn to a device utilized for infrared or motion detection.
Group XLII, claims 391-392, drawn to wherein the wearable optics device is utilized in conjunction with remote sensors that acts as a periscope for the user.
Group XLIII, claims 393, drawn to a device wherein the lens is in a transparent mode.
Group XLIV, claims 394, drawn to a device wherein the wearable optics device is utilized with a form filling pointing device.
Group XLV, claims 397, drawn to a device wherein at least one fingerprint utilized to enable the wearable optics device.
Group XLVI, claims 398-400, drawn to a device wherein the wearable optics device is utilized with multiple windows surrounding the user.
Group XLVII, claims 401, drawn to a device wherein the wearable optics device is utilized to identify who is actually speaking.
Group XLVIII, claims 403-406, drawn to a device with a curved lens, wherein the wearable optics device is utilized with compensation algorithms in conjunction with the curved lens.
Group XLIX, claims 407-410, drawn to a device wherein the wearable optics device is utilized in conjunction with eye tests, eye diagnosis and eye exam.
Group L, claims 411-412, 423-429, drawn to a device wherein perceptual parameters are utilized.
Group LI, claims 413, 430, drawn to a device wherein the wearable optics device utilizes sound detection to improve audibility.

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Group LII, claims 414,431, drawn to a device utilized in conjunction with an ear insert for acoustic processing.
Group LIII, claims 416, 432-436, drawn to a device utilized to determine symptoms of sleep deprivation.
Group LIV, claims 417, 437-439, drawn to a device utilized to determine an alcohol level of the user.
Group LV, claims 418, 440, drawn to a device utilized in conjunction with a tesla meter.
Group LVI, claims 419, 441, 442, drawn to a device that turns a page of a virtual book.
Group LVII, claims 420, 448, drawn to a device wherein the wearable optics device is solar powered.
Group LVIII, claims 421-422, 457-458, drawn to a device comprising a lens which includes a bar code sensor.

The special technical feature of the Group I invention providing a wearable optics device, wherein parameters personalized to a user can be provided based upon user information as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group II invention providing a wearable optics device which includes providing an enhancement utilizing objective and subjective quality standards based upon perceptual parameters as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group III invention wearable optics device comprising a lens as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group IV invention wherein the wearable optics device comprises one or more inserts into eyeglasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group V invention wherein the eyeglasses comprises quad state eyeglasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group VI invention wherein shading control is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group VII invention wherein the wearable optics device comprises an electrochromatic material as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group VIII invention wherein the wearable optics device comprises an polychromatic material as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group IX invention wherein the wearable optics device is utilized in a simulator as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group X invention wherein a focal of the wearable optics device is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XI invention wherein the parameters include any or any combination of a zoom feature, a microscope feature, magnifying feature, illumination feature; a retinal projection feature as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XII invention wherein a focal of the wearable optics device is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XIII invention wherein an illumination feature is directed to a specific area as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XIV invention wherein the wearable optics device comprises lenses to filter certain light waves for controlled viewing or visual effects as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XV invention wherein an acoustic wave mechanism is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XVI invention wherein a brain wave mechanism is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XVII invention wherein a magnetic wave mechanism is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XVIII invention wherein the wearable optics device is utilized in conjunction with an athletic event by a participant/spectator as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XIX invention wherein the method utilizes one or more camera components and one or more communication components to provide an augmented reality as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XX invention wherein sensory inputs are provided utilizing sensors as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXI invention wherein an input/output capability is integrated with the wearable optic device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXII invention wherein different media can be overlaid/blended as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXIII invention wherein the parameters include a zoom feature to aid the medical doctor in performing the medical procedures as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXIV invention wherein the wearable optics device comprises a plurality of lenses on eyeglasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXV invention wherein the wearable optics device can view encoded images as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXVI invention wherein rapid motion encoding is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXVII invention wherein shading, inverse shading, or occlusion is provided by the any or any combination of lens projector, retinal projection as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXVIII invention a device which includes stability control for facial or object focus as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXIX invention a device wherein the wearable optics device can be utilized as binocular glasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXX invention a device wherein the parameters are related to information for the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXI invention a device wherein audio wave technology is utilized as claimed therein is not present in the invention of all other Groups.

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The special technical feature of the Group XXXII invention a device wherein a physical display appears as a blurry screen to anyone not using the wearable optics device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXIII invention a device wherein virtual reading features are provided as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXIV invention a device wherein video conferencing is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXV invention a device wherein tools are utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXVI invention a device wherein lip reading technology is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXVII invention a device wherein language translation is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXVIII invention a device wherein the wearable optics device is utilized to determine what the user is watching at any particular point as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXIX invention a device wherein the wearable optics device is utilized for identity and security information as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XL invention a device utilized as a teleprompter as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLI invention a device utilized for infrared or motion detection as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLII invention wherein the wearable optics device is utilized in conjunction with remote sensors that acts as a periscope for the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLIII invention wherein the lens is in a transparent mode as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLIV invention wherein the wearable optics device is utilized with a form filling pointing device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLV invention wherein at least one fingerprint utilized to enable the wearable optics device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLVI invention a device wherein the wearable optics device is utilized with multiple windows surrounding the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLVII invention a device wherein the wearable optics device is utilized to identify who is actually speaking as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLVIII invention a device with a curved lens, wherein the wearable optics device is utilized with compensation algorithms in conjunction with the curved lens as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLIX invention a device wherein the wearable optics device is utilized in conjunction with eye tests, eye diagnosis and eye exam as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group L invention a device wherein perceptual parameters are utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LI invention a device wherein the wearable optics device utilizes sound detection to improve audibility as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LII invention a device utilized in conjunction with an ear insert for acoustic processing as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LIII invention a device utilized to determine symptoms of sleep deprivation as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LIV invention a device utilized to determine an alcohol level of the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LV invention a device utilized in conjunction with a tesla meter as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LVI invention 419 a device that turns a page of a virtual book as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LVII invention a device wherein the wearable optics device is solar powered as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LVIII invention to a device comprising a lens which includes a bar code sensor as claimed therein is not present in the invention of all other Groups.

Groups I-LVIII lack unity of invention because even though the inventions of these groups require the technical feature of a method and device comprising providing a wearable optics device with a lens, wherein parameters personalized to a user can be provided based upon user information, this technical feature is not a special technical feature as it does not make a contribution over the prior art. Specifically, US 2012/0021806 A1 (MALTZ) 26 January 2012 (26.01.2012) teaches a method and device (abstract, Fig. 1) comprising providing a wearable optics device with a lens (see Fig. 1, para 40), wherein parameters personalized to a user can be provided based upon user information (see para 26-27, see also Fig. 6).

Since none of the special technical features of the Group I- LVIII inventions are found in more than one of the inventions, unity of invention is lacking.

Form PCT/ISA/210 (extra sheet) (July 2009)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: JOSEPH A. SAWYER, JR.
SAWYER LAW GROUP. P.C.
P.O. BOX 51418
PALO ALTO, CA 94303

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	01 DEC 2014
Applicant's or agent's file reference 5267PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2014/029520	14 March 2014	15 March 2013

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G09G 5/00 (2014.01)
CPC - G09G 5/00 (2014.09)

Applicant PERCEPT TECHNOLOGIES, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 *bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA/US	Date of completion of this opinion	Authorized officer:
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	20 October 2014	Blaine R. Copenheaver PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (July 2011)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029520

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:
   - ☒ the international application in the language in which it was filed.
   - ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:
   a. (means)
      - ☐ on paper
      - ☐ in electronic form

   b. (time)
      - ☐ in the international application as filed
      - ☐ together with the international application in electronic form
      - ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029520

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:

   ☐ paid additional fees.

   ☐ paid additional fees under protest and, where applicable, the protest fee.

   ☐ paid additional fees under protest but the applicable protest fee was not paid.

   ☒ not paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

   ☐ complied with.

   ☒ not complied with for the following reasons:

see supplemental sheet

4. Consequently, this opinion has been established in respect of the following parts of the international application:

   ☐ all parts.

   ☒ the parts relating to claims Nos. 1, 6-58

Form PCT/ISA/237 (Box No. IV) (July 2011)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029520

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	14, 16-19, 22-30, 32-33, 36-45, 47-54, 56-58	YES
	Claims	1, 6-13, 15, 20-21, 31, 34-35, 46, 55	NO
Inventive step (IS)	Claims	None	YES
	Claims	1, 6-58	NO
Industrial applicability (IA)	Claims	1, 6-58	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1, 6-13, 15, 20-21, 31, 34-35, 46 and 55 lack novelty under PCT Article 33(2) as being anticipated by Maltz (US 2012/0021806 A1).

Regarding claim 1, Maltz discloses (Abstract; Figures 1-7) a method comprising: providing a wearable optics device (device 100; Para. 0009, the device.has appearance of eyeglasses or sunglasses and is placed on a user's head), wherein parameters personalized to a user can be provided based upon user information (Fig. 6; Paragraphs 0026-0027 and 0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information]).

Regarding claim 6, Maltz discloses materials that electrically control any or any combination of chromatic, refractive, diffractive, transparent, reflective properties (Para. 0034, sunglass lenses may be formed of optically dark or reflecting material) of the wearable optics device (device 100) are utilized.

Regarding claim 7, Maltz discloses the wearable optics device (device 100) comprises any or any combination of transparent LCD, LED, OLED (Para. 0035, OLED displays), flexible LED, flexible OLED, transparent matrix, semi-transparent matrix, prism based, holographic, electroluminescence, eletroreflective, dynamic filtering materials.

Regarding claim 8, Maltz discloses (Fig. 2) one or more elements (e.g., including beam splitter 116 and display 112) are utilized within the wearable optics device (device 100) to provide image information into the eye (user's eye 120; Para. 0042).

Regarding claim 9, Maltz discloses (Fig. 2) one or more elements include any or any combination of a lens projector (converging lens 114; Para. 0043 [lens 114 projects light as illustrated in Fig. 2]), retinal projection (beam splitter 116 directs [projects] light to user's eye 120, as illustrated in Fig. 2 [user's eye 120 is understood to include a retina]).

Regarding claim 10, Maltz discloses (Fig. 2) the retinal projection (beam splitter 116 directs [projects] light to user's eye 120, as illustrated in Fig. 2 [user's eye 120 is understood to include a retina]) provides an occlusion (Fig. 6; Para 0058, the upper part of the scene is unobstructed [not occluded] and the lower part of the scene provides a view 606 via beam splitter 116 [interpreted as an at least partially obstructed, i.e., occluded view, as illustrated in Fig. 6].

Regarding claim 11, Maltz discloses (Fig. 2) the wearable optics device (device 100) comprises an electro refractive (e.g., converging lens 114 [converging lens 114 is interpreted as an object with inherent electrical properties that modifies the direction of movement of light, i.e., an electrical object that transmits and refracts light]), or diffractive material.

Regarding claim 12, Maltz discloses (Fig. 2) wherein the parameters include any or any combination of prescriptions for improving the vision of a user (Para. 0029, eyeglass lenses may be customized for the particular optical correction needs for an individual user), a zoom feature, a microscope feature, magnifying feature, retinal projection feature.

Regarding claim 13, Maltz discloses detecting head movement (Para. 0049, controls may include determining blinking or other eye movements [interpreted generally as head movements]).

Regarding claim 15, Maltz discloses the parameters (Fig. 6; Paragraphs 0026-0027 and,0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information]) can be transmitted to one or more third parties (Para. 0008, user can send short text messages).

Regarding claim 20, Maltz discloses (Fig. 5) the method utilizes one or more camera components (video camera 118) and one or more communication components (transceiver 506).

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029520

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 9-10, 32, and 43 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 9-10, 32, and 43 are indefinite for the following reason: Claim 9 is lacking antecedent basis for "the one or more elements". For the purpose of the international opinion, claim 9 is interpreted as reciting "one or more elements"; Claim 10 is lacking antecedent basis for "the occlusion". For the purpose of the international opinion, claim 10 is interpreted as reciting "an occlusion"; Claim 32 is lacking antecedent basis for "the dentist" and "the dental procedures". For the purpose of the international opinion, claim 32 is interpreted as reciting "a dentist" and "dental procedures"; Claim 43 is lacking antecedent basis for "the tablet". For the purpose of the international opinion, claim 43 is interpreted as reciting "a tablet".

Claims 233, 264 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because ithey are indefinite for the following reason:

Claim 233 cites dependency from claim 60. For the purpose of the written opinion, claim 233 is interpreted as depending from claim 230. Claim 264 cites dependency from claim 93. For the purpose of the written opinion, claim 264 is interpreted as depending from claim 263.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029520

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of:

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claims 1, 6-58, drawn to a method of providing a wearable optics device, wherein parameters personalized to a user can be provided based upon user information.
Group II, claims 2-5, 171-174, 239-243, 459-463, drawn to a method of providing a wearable optics device which includes providing an enhancement utilizing objective and subjective quality standards based upon perceptual parameters.
Group III, claims 59-170, drawn to a wearable optics device comprising a lens.
Group IV, claims 175, 244-245, drawn to a method wherein the wearable optics device comprises one or more inserts into eyeglasses.
Group V, claims 176, drawn to a method wherein the eyeglasses comprises quad state eyeglasses
Group VI, claims 177-187, 246-251,395-396, 415, 444-447, 449-455, drawn to a method wherein shading control is utilized.
Group VII, claims 188, 252, drawn to a method wherein the wearable optics device comprises an electrochromatic material.
Group VIII, claims 189, 253, drawn to a method wherein the wearable optics device comprises an polychromatic material
Group IX, claims 190, 258, drawn to a method wherein the wearable optics device is utilized in a simulator.
Group X, claims 191, 259-260, drawn to a method wherein a focal of the wearable optics device is utilized.
Group XI, claims 192, 255-257, drawn to a method wherein the parameters include any or any combination of a zoom feature, a microscope feature, magnifying feature, illumination feature; a retinal projection feature.
Group XII, claims 193-194, 261-262, 357, drawn to a method wherein a focal of the wearable optics device is utilized.
Group XIII, claims 195-196, drawn to a method wherein an illumination feature is directed to a specific area.
Group XIV, claims 197-201, 263-264, drawn to wherein the wearable optics device comprises lenses to filter certain light waves for controlled viewing or visual effects.
Group XV, claims 202, 266, drawn to a method wherein an acoustic wave mechanism is utilized.
Group XVI, claims 203, drawn to a method wherein a brain wave mechanism is utilized.
Group XVII, claims 204, 267, drawn to a method herein a magnetic wave mechanism is utilized.
Group XVIII, claims 205-207, 268-269, 298-310, 315, drawn to a method wherein the wearable optics device is utilized in conjunction with an athletic event by a participant/spectator.
Group XIX, claims 208-209, 329-331, 358-365, 390, 443, drawn to a method wherein the method utilizes one or more camera components and one or more communication components to provide an augmented reality.
Group XX, claims 210-222, 270-280, drawn to a method herein sensory inputs are provided utilizing sensors.
Group XXI, claims 223-224, 281-282, drawn to a method wherein an input/output capability is integrated with the wearable optic device.
Group XXII, claims 225-226, 283-285, drawn to a method wherein different media can be overlaid/blended.
Group XXIII, claims 227-229, 286-288, drawn to a method wherein the parameters include a zoom feature to aid the medical doctor in performing the medical procedures.
Group XXIV, claims 230-236, 290-296, drawn to a method wherein the wearable optics device comprises a plurality of lenses on eyeglasses.
Group XXV, claims 237, 297, drawn to a method wherein the wearable optics device can view encoded images.
Group XXVI, claims 238, 456, drawn to a method wherein rapid motion encoding is utilized.
Group XXVII, claims 254, drawn to a device wherein shading, inverse shading, or occlusion is provided by the any or any combination of lens projector, retinal projection.
Group XXVIII, claims 265, 289, 327, 328, drawn to a device which includes stability control for facial or object focus.
Group XXIX, claims 311-314, drawn to a device wherein the wearable optics device can be utilized as binocular glasses.
Group XXX, claims 316-326, drawn to a device wherein the parameters are related to information for the user.
Group XXXI, claims 332-353, drawn to a device wherein audio wave technology is utilized.
Group XXXII, claims 354, drawn to a device wherein a physical display appears as a blurry screen to anyone not using the wearable optics device.
Group XXXIII, claims 355-356, drawn to a device wherein virtual reading features are provided.
Group XXXIV, claims 366-370, 402, drawn to a device wherein video conferencing is utilized.
Group XXXV, claims 371-374, drawn to a device wherein tools are utilized.
Group XXXVI, claims 375, drawn to a device wherein lip reading technology is utilized.
Group XXXVII, claims 376-380, drawn to a device wherein language translation is utilized.
Group XXXVIII, claims 381-383, drawn to a device wherein the wearable optics device is utilized to determine what the user is watching at any particular point.
Group XXXIX, claims 384-387, drawn to a device wherein the wearable optics device is utilized for identity and security information.
Group XL, claims 388, drawn to a device utilized as a teleprompter.
Group XLI, claims 389, drawn to a device utilized for infrared or motion detection.
Group XLII, claims 391-392, drawn to wherein the wearable optics device is utilized in conjunction with remote sensors that acts as a periscope for the user.
Group XLIII, claims 393, drawn to a device wherein the lens is in a transparent mode.
Group XLIV, claims 394, drawn to a device wherein the wearable optics device is utilized with a form filling pointing device.
Group XLV, claims 397, drawn to a device wherein at least one fingerprint utilized to enable the wearable optics device.
Group XLVI, claims 398-400, drawn to a device wherein the wearable optics device is utilized with multiple windows surrounding the user.
Group XLVII, claims 401, drawn to a device wherein the wearable optics device is utilized to identify who is actually speaking.
Group XLVIII, claims 403-406, drawn to a device with a curved lens, wherein the wearable optics device is utilized with compensation algorithms in conjunction with the curved lens.
Group XLIX, claims 407-410, drawn to a device wherein the wearable optics device is utilized in conjunction with eye tests, eye diagnosis and eye exam.
Group L, claims 411-412, 423-429, drawn to a device wherein perceptual parameters are utilized.
Group LI, claims 413, 430, drawn to a device wherein the wearable optics device utilizes sound detection to improve audibility.

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Group LII, claims 414,431; drawn to a device utilized in conjunction with an ear insert for acoustic processing.
Group LIII, claims 416, 432-436, drawn to a device utilized to determine symptoms of sleep deprivation.
Group LIV, claims 417, 437-439, drawn to a device utilized to determine an alcohol level of the user.
Group LV, claims 418, 440, drawn to a device utilized in conjunction with a tesla meter.
Group LVI, claims 419, 441, 442, drawn to a device that turns a page of a virtual book.
Group LVII, claims 420, 448, drawn to a device wherein the wearable optics device is solar powered.
Group LVIII, claims 421-422, 457-458, drawn to a device comprising a lens which includes a bar code sensor.

The special technical feature of the Group I invention providing a wearable optics device, wherein parameters personalized to a user can be provided based upon user information as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group II invention providing a wearable optics device which includes providing an enhancement utilizing objective and subjective quality standards based upon perceptual parameters as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group III invention wearable optics device comprising a lens as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group IV invention wherein the wearable optics device comprises one or more inserts into eyeglasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group V invention wherein the eyeglasses comprises quad state eyeglasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group VI invention wherein shading control is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group VII invention wherein the wearable optics device comprises an electrochromatic material as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group VIII invention wherein the wearable optics device comprises an polychromatic material as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group IX invention wherein the wearable optics device is utilized in a simulator as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group X invention wherein a focal of the wearable optics device is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XI invention wherein the parameters include any or any combination of a zoom feature, a microscope feature, magnifying feature, illumination feature; a retinal projection feature as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XII invention wherein a focal of the wearable optics device is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XIII invention wherein an illumination feature is directed to a specific area as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XIV invention wherein the wearable optics device comprises lenses to filter certain light waves for controlled viewing or visual effects as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XV invention wherein an acoustic wave mechanism is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XVI invention wherein a brain wave mechanism is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XVII invention wherein a magnetic wave mechanism is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XVIII invention wherein the wearable optics device is utilized in conjunction with an athletic event by a participant/spectator as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XIX invention wherein the method utilizes one or more camera components and one or more communication components to provide an augmented reality as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XX invention wherein sensory inputs are provided utilizing sensors as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXI invention wherein an input/output capability is integrated with the wearable optic device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXII invention wherein different media can be overlaid/blended as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXIII invention wherein the parameters include a zoom feature to aid the medical doctor in performing the medical procedures as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXIV invention wherein the wearable optics device comprises a plurality of lenses on eyeglasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXV invention wherein the wearable optics device can view encoded images as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXVI invention wherein rapid motion encoding is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXVII invention wherein shading, inverse shading, or occlusion is provided by the any or any combination of lens projector, retinal projection as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXVIII invention a device which includes stability control for facial or object focus as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXIX invention a device wherein the wearable optics device can be utilized as binocular glasses as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXX invention a device wherein the parameters are related to information for the user as claimed therein is not present in the invention of all other Groups.

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The special technical feature of the Group XXXI invention a device wherein audio wave technology is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXII invention a device wherein a physical display appears as a blurry screen to anyone not using the wearable optics device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXIII invention a device wherein virtual reading features are provided as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXIV invention a device wherein video conferencing is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXV invention a device wherein tools are utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXVI invention a device wherein lip reading technology is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXVII invention a device wherein language translation is utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXVIII invention a device wherein the wearable optics device is utilized to determine what the user is watching at any particular point as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XXXIX invention a device wherein the wearable optics device is utilized for identity and security information as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XL invention a device utilized as a teleprompter as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLI invention a device utilized for infrared or motion detection as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLII invention wherein the wearable optics device is utilized in conjunction with remote sensors that acts as a periscope for the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLIII invention wherein the lens is in a transparent mode as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLIV invention wherein the wearable optics device is utilized with a form filling pointing device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLV invention wherein at least one fingerprint utilized to enable the wearable optics device as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLVI invention a device wherein the wearable optics device is utilized with multiple windows surrounding the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLVII invention a device wherein the wearable optics device is utilized to identify who is actually speaking as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLVIII invention a device with a curved lens, wherein the wearable optics device is utilized with compensation algorithms in conjunction with the curved lens as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group XLIX invention a device wherein the wearable optics device is utilized in conjunction with eye tests, eye diagnosis and eye exam as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group L invention a device wherein perceptual parameters are utilized as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LI invention a device wherein the wearable optics device utilizes sound detection to improve audibility as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LII invention a device utilized in conjunction with an ear insert for acoustic processing as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LIII invention a device utilized to determine symptoms of sleep deprivation as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LIV invention a device utilized to determine an alcohol level of the user as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LV invention a device utilized in conjunction with a tesla meter as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LVI invention 419 a device that turns a page of a virtual book as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LVII invention a device wherein the wearable optics device is solar powered as claimed therein is not present in the invention of all other Groups.
The special technical feature of the Group LVIII invention to a device comprising a lens which includes a bar code sensor as claimed therein is not present in the invention of all other Groups.

Groups I-LVIII lack unity of invention because even though the inventions of these groups require the technical feature of a method and device comprising providing a wearable optics device with a lens, wherein parameters personalized to a user can be provided based upon user information, this technical feature is not a special technical feature as it does not make a contribution over the prior art. Specifically, US 2012/0021806 A1 (MALTZ) 26 January 2012 (26.01.2012) teaches a method and device (abstract, Fig. 1) comprising providing a wearable optics device with a lens (see Fig. 1, para 40), wherein parameters personalized to a user can be provided based upon user information (see para 26-27, see also Fig. 6).

Since none of the special technical features of the Group I- LVIII inventions are found in more than one of the inventions, unity of invention is lacking.

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Regarding claim 21, Maltz discloses the camera components (video camera 118) utilizes any and any combination of transparent LCD, LED (Para. 0030, eye tracking sensor, camera may include LED light source), OLEO, flexible LED, flexible OLEO, transparent matrix, semi-transparent matrix, prism based, holographic , 10 electroluminescence, eletroreflective, electrorefractive, dynamic filtering, refractive materials.

Regarding claim 31, Maltz discloses any or any combination of light, acoustic waves, ultrasound x-rays or infrared are utilized (Para. 0030, light source may be infrared light source).

Regarding claim 34, Maltz discloses (Fig. 4) the method is implemented utilizing one or more distributed networks (Para. 0048, [remote] cellular telephone base station 400 or other network).

Regarding claim 35, Maltz discloses wireless inputs (Para. 0020, device includes wireless transceiver) to the wearable optics device (device 100).

Regarding claim 46, Maltz discloses (Figures 1 and 5) wherein an application runs on a processor (processor 500) of the wearable optics device (device 100; Para. 0049).

Regarding claim 55, Maltz discloses the wearable optics device (device 100) is utilized for infrared (Para. 0030, eye tracking sensor includes camera for the detection of infrared light emitted by an infrared light source) or motion detection.

Claims 14, 23-29, and 43-45 lack an inventive step under PCT Article 33(3) as being obvious over Maltz in view of Min et al. (US 2006/0061544 A1), hereinafter referred to as Min.

Regarding claim 14, Maltz discloses the wearable optics device (device 100).
Maltz does not explicitly disclose a brain wave mechanism is utilized within the wearable optics device.
Min generally discloses an apparatus and method for inputting keys using biological signals in a head mounted display (Title). Further, Min discloses (Abstract; Fig. 3) a brain wave mechanism (sensing units 250 and 260) is utilized within a wearable optics device (glasses 314; Para. 0087, the sensors may be EEG sensors for monitoring brain [wave] activity).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include sensors to measure brain waves, as suggested by Min, for the benefit of a device capable of analyzing the mental state of a user such as mental concentration or rest (Min, Para. 0087).

Regarding claim 23, Maltz discloses the parameters are features related to the user (Fig. 6; Paragraphs 0026-0027 and 0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information]).
Maltz does not explicitly disclose medical features.
Min discloses medical features (Para. 0087, sensors may detect user's EEG [interpreted as medical data]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include sensors to measure medical data such as brain waves, as suggested by Min, for the benefit of a device capable of analyzing the mental state of a user such as mental concentration or rest, pleasure or discomfort, strain or relaxation, excitement or a state of stagnation (Min, Para. 0087).

Regarding claim 24, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 25, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational, augmented reality, algorithmic, spatial, cognitive, interpretive.

Regarding claim 26, Maltz discloses the parameters are features of a user (Fig. 6; Paragraphs 0026-0027 and 0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information]).
Maltz does not explicitly disclose the parameters are dental features of a patient.
Min discloses parameters are dental features (Para. 0035, user may bite back teeth to communicate to the device).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include recognition of dental parameters of a user, as suggested by Min, for the benefit of a device allowing a user to input a desired key from among a plurality of keys being displayed without using the user's hands (Min, Para. 0035), and further that the user of the wearable optics device of Maltz may be a patient, as merely a matter of design choice, for the benefit of employing the wearable optics device for individuals/patients incapable of communicating with their hands or voice due to physical or vocal paralysis, or due to a medical circumstances such as limb casts or intubation.

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Regarding claim 27, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 28, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational, augmented reality, algorithmic, spatial, cognitive, interpretive.

Regarding claim 29, Maltz discloses the perceptual parameters are utilized to detect conditions (Para. 0021, eye tracking is used to control the device).
Maltz does not explicitly disclose detection of pain or other dental conditions.
Min discloses the detection of pain or other dental conditions (Para. 0035, user may bite back teeth to communicate to the device).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include recognition of dental conditions of a user, as suggested by Min, for the benefit of a device allowing a user to input a desired key from among a plurality of keys being displayed without using the user's hands (Min, Para. 0035).

Regarding claim 43, Maltz discloses the wearable optics device (device 100).
Maltz does not explicitly disclose the device interfaces with a user application with a tablet, personal computer, portable device, mobile phone wearable sensors, wearable devices or the like.
Min discloses a device (Fig. 3) interfaces with a user application with a tablet, personal computer (Para. 0050, external interface allows for connection with a post PC to receive the biological signals of the user), portable device, mobile phone wearable sensors, wearable devices or the like.
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include an external interface for connecting with a personal computer, as suggested by Min, as merely a matter of design choice, for the benefit of a system wherein information recorded by eyeglasses may be conveyed to a personal computer to control the personal computer in instances where a hands free operation of the personal computer is desired.

Regarding claim 44, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 45, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational, augmented reality, algorithmic, spatial, cognitive, interpretive.

Claims 16-19 and 58 lack an inventive step under PCT Article 33(3) as being obvious over Maltz in view of Howell et al. (US 7,677,723 B2), hereinafter referred to as Howell.

Regarding claim 16, Maltz discloses the parameters are information related to the user (Fig. 6; Paragraphs 0026-0027 and 0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information]).
Maltz does not explicitly disclose athletic information.
Howell generally discloses eyeglasses with a heart rate monitor (Title). Further, Howell discloses athletic information (col. 10, lines 44-49, fitness [athletic] information is obtained via heart rate monitoring).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include the recordation of athletic information, as suggested by Howell, for the benefit of a device useful for those desirous of an effective workout (Howell, col. 10, lines 44-46).

Regarding claim 17, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 18, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational, augmented reality, algorithmic, spatial, cognitive, interpretive.

Regarding claim 19, Maltz discloses the features of 16 as outlined above.
Maltz does not explicitly disclose the athletic information comprises training information for the user.
Howell discloses athletic information comprises training information for the user (col. 10, lines 44-49, heart rate monitoring for fitness [athletics] helps user maintain the user's heart rate within a proper window for optimum fitness [interpreted as training the user]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include providing a user with athletic training information, as suggested by Howell, for the benefit of a device useful for those desirous of an effective workout (Howell, col. 10, lines 44-46).

Regarding claim 58, Maltz discloses the wearable optics device (device 100)
Maltz does not explicitly disclose the device is utilized for dancing and fitness.
Howell discloses a device utilized for fitness (col. 10, lines 44-49, heart rate monitoring glasses are used for workout/ fitness).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be utilized for fitness monitoring, as suggested by Howell, and specifically for dancing fitness activities like Zumba, as merely a matter of design choice, for the benefit of a device capable of providing pertinent health data to a user engaged in fitness activities otherwise not permitting recordation of physical data during such activities.

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Claim 22 lacks an inventive step under PCT Article 33(3) as being obvious over Maltz in view of Lvovskiy et al. (US 7,629,877 B2), hereinafter referred to as Lvovskiy.

Regarding claim 22, Maltz discloses the camera components (video camera 118) utilize certain light waves for controlled viewing or visual effects (Para. 0031, camera senses infrared wavelengths).
Maltz does not explicitly disclose the filtering of certain light waves.
Lvovskiy generally discloses indication systems providing augmented visual support for the operator of a motor vehicle, vessel, or aircraft (Abstract). Further, Lvovskiy discloses a camera lens to filter infrared light to be received by a camera (col. 6, lines 52-63).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable infrared optics device of Maltz may include an infrared filter such that only infrared light is filtered to a camera, as suggested by Lvovskiy, as merely a matter of design choice, for the benefit of ensuring that a camera configured to generate infrared images receives only infrared light of defined wavelengths such that extraneous wavelengths may not be detected by the camera.

Claims 26, 30, and 32-33 lack an inventive step under PCT Article 33(3) as being obvious over Maltz in view of Luqman et al. (US 2012/0056993 A1), hereinafter referred to as Luqman.

Regarding claim 26, Maltz discloses the parameters are features of a user (Fig. 6; Paragraphs 0026-0027 and 0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information]).
Maltz does not explicitly disclose the parameters are dental features of a patient.
Luqman generally discloses a dental field visualization system with improved ergonomics (Title). Further, Luqman discloses (Figures 1 and 6-7) parameters include dental features of a patient (patient 110; Para. 0015, dentist 100 uses heads up display 130 to see dental features of a patient using camera 120).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be utilized by a dentist to see dental features of a patient, as suggested by Luqman, for the benefit of a device wherein a dental professional may observe and treat conditions in a patient's mouth without directly viewing the area in question (Luqman, Para. 0005).

Regarding claim 30, Maltz discloses the wearable optics (device 100).
Maltz does not explicitly disclose the dental features of the patient can be received by a dentist using the wearable optics to perform dental procedures on the patient utilizing augmented reality.
Luqman discloses (Figures 1 and 6-7) dental features of a patient (patient 110) can be received by a dentist (dentist 100) using a wearable optics (heads-up display 130) to perform dental procedures (via treatment implement 140) on the patient (patient 110) utilizing augmented reality (Para. 0015, system utilizes camera 120 [augmented reality device]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be utilized by a dentist to see dental features of a patient, as suggested by Luqman, for the benefit of a device wherein a dental professional may observe and treat conditions in a patient's mouth without directly viewing the area in question (Luqman, Para. 0005).

Regarding claim 32, Maltz discloses the parameters (Fig. 6; Paragraphs 0026-0027 and 0058-0059; user operates a gaze based interface to make selections [interpreted as user parameters based on user information])
Maltz does not explicitly disclose the parameters include a zoom feature to aid a dentist in the performing dental procedures.
Luqman discloses (Figures 1, 4, and 6-7) parameters include a zoom feature to aid a dentist (dentist 100) in the performing dental procedures (Para. 0026, zoom control; Para. 0015, dentist uses treatment implement 140, e.g., electric drill [for a procedure]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include a zoom feature, as suggested by Luqman, as merely a matter of design choice, for the benefit of a device wherein a user such as dentist may magnify an image to receive a closer more detailed view for inspection.

Regarding claim 33, Maltz discloses the features of claim 32, as outlined above.
Maltz does not explicitly disclose dental procedures include any or any combination of drilling a tooth, tooth extraction, teeth cleaning and root canal.
Luqman discloses (Fig. 1) dental procedures (via treatment implement 140) include any or any combination of drilling a tooth (Para. 0015, treatment implement may be an electric drill), tooth extraction, teeth cleaning and root canal.
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be employed in conjunction with a dental procedure such as tooth drilling, as suggested by Luqman, as merely a matter of design choice, for the benefit of utilizing a wearable optics device in dental applications such that a dentist may more comfortably and/or safely perform a dental procedure such as tooth drilling.

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Claims 36-42, 47-54, and 56-57 lack an inventive step under PCT Article 33(3) as being obvious over Maltz in view of Border et al. (US 2012/0242678 A1), hereinafter referred to as Border.

Regarding claim 36, Maltz discloses the features of claim 1 as outlined above.
Maltz does not explicitly disclose advertising is provided.
Border generally discloses see-thorough near-eye display glasses (Title). Further, Border discloses (Fig. 1, eyepiece 100) advertising is provided (Para. 0417, eyepiece facilitates/presents advertisement).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include advertisements, as suggested by Border, for the benefit of presenting personalized advertisements/recommendations based on preferences of a user (Border, Para. 0417).

Regarding claim 37, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 38, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational, augmented reality, algorithmic, spatial, cognitive, interpretive.

Regarding claim 39, Maltz discloses a wearable optics device (device 100).
Maltz does not explicitly disclose advertising a product or service that is proximate to a user.
Border discloses advertising a product or service that is proximate to a user (Para. 0473, products are advertised to the wearer in association with the wearer's proximity to the product).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include advertisements in relation to products closest to a wearer, as suggested by Border, for the benefit of creating a more informative environment in which to effectively shop (Border, Para. 0473).

Regarding claim 40, Maltz discloses eye movement (Para. 0048, eye motion is detected).
Maltz does not explicitly disclose an advertising target is determined by any of or any combination of eye movement, GPS, wireless location measurement, accelerometer, and gyroscope.
Border discloses an advertising target is determined by any of or any combination of eye movement (Para. 0481, eye movement provides additional information related to an advertisement), GPS, wireless location measurement, accelerometer, and gyroscope.
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include using eye movements to target advertisements, as suggested by Border, as merely a matter of design choice, for the benefit of wearable optics device allowing a user to interact with a virtual environment without using their hands.

Regarding claim 41, Maltz discloses the wearable optics device (device 100).
Maltz does not explicitly disclose the device can view advertising to provide viewing information to a vendor.
Border discloses (Fig. 1) a device (eyepiece 100) can view advertising to provide viewing information to a vendor (Para. 0474, wearer receives advertisements by vendors and can purchase [from vendor] without making a phone call, for example through an application store [interpreted as providing viewing information to a vendor]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include providing viewing information to a vendor, for example, providing a purchase request to a vendor, as suggested by Border, as merely a matter of design choice, for the benefit of wearable optics device capable of both receiving vendor advertisements and performing purchases from a vendor.

Regarding claim 42, Maltz discloses the wearable optics device (device 100).
Maltz does not explicitly disclose the advertising can appear to be on a billboard that is visible to a user.
Border discloses (Fig. 38) advertising can appear to be on a billboard that is visible to a user (Para. 0417, advertisement, visual cue, may in the form of a sign on a billboard).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may include visually advertising to a user via a billboard that is visible to a user, as suggested by Border, as merely a matter of design choice, for the benefit of displaying advertisements using a form/construct conventionally recognized as containing advertising information.

Regarding claim 47, Maltz discloses the wearable optics device (device 100)
Maltz does not explicitly disclose the device to be utilized with a social networking application.
Border discloses (Fig. 1) a device (eyepiece 100) to be utilized with a social networking application (Para. 0047, points of interest include social networking content).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be utilized to access social networking content, as suggested by Border, for the benefit of allowing a person to post a comment on a place they visited that is available to others on a social network such that the comment is available when another person comes to that location (Border, Para. 0461).

Regarding claim 48, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 49, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational, augmented reality, algorithmic, spatial, cognitive, interpretive.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029520

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of:

Regarding claim 50, Maltz discloses the perceptual parameters (Para. 0021, eye tracking with a camera is used to control the device). Maltz does not explicitly disclose identifying preferences including any or any combination of friends, company position, company background, relationship status, related parties.
Border discloses identifying preferences including any or any combination of friends, company position, company background, relationship status, related parties (Para. 0503, social networking contacts [interpreted as related parties]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be utilized to identify preferences including related parties, social networking contacts, etc., as suggested by Border, for the benefit of a wearable optics device capable of learning the behavior of a wearer of the device, predictive control, and to provide the user with automated assistance (Border, Para. 0503).

Regarding claim 51, Maltz discloses the perceptual parameters (Para. 0021, eye tracking with a camera is used to control the device). Maltz does not explicitly disclose the perceptual parameters are utilized for navigation inside and outside a social networking application.
Border discloses perceptual parameters are utilized for navigation inside and outside a social networking application (Para. 0460, e.g., facial recognition [perceptual parameter] can be used in conjunction with social networking sites for downloading [navigating to] information of a nearby person contained within the social networking application; Para. 0366, touching a wall [perceptual parameter] launches an advertisement [interpreted as navigation technique for an application outside of, i.e., other than, a social networking application]).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may be utilized both for both social networking applications and other applications, as suggested by Border, as merely a matter of design choice, for the benefit of a wearable optics device capable of helping a wearer identify individuals they come into contact with and to ensure a wearer receives advertisements in a manner personalized to a wearer of the optics device, respectively.

Regarding claim 52, Maltz discloses the wearable optics device (device 100).
Maltz does not explicitly disclose viewing any or any combination of friends, linked-in related parties, followers by highlighting within a field of view.
Border discloses viewing any or any combination of friends, linked-in related parties, followers by highlighting within a field of view (Para. 0483, public profiles of students contained within a networking database [interpreted as followers] may be highlighted for quick reference for the wearer).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may highlight relevant information to a wearer, as suggested by Border, for the benefit of highlighting profiles for quick reference for the wearer (Border, Para. 0483).

Regarding claim 53, Maltz discloses perceptual parameters are utilized (Para. 0021, eye tracking is used to control the device).

Regarding claim 54, Maltz discloses the perceptual parameters include any and any combination of optical expression (Para. 0021, eye tracking with a camera is used to control the device), voice, brain wave, environmental, audio, video, navigational; augmented reality, algorithmic, spatial, cognitive, interpretive.

Regarding claim 56, Maltz discloses the elements of claim 1 as outline above.
Maltz does not explicitly disclose DVR functions to be utilized.
Border discloses DVR functions to be utilized (Para. 0848, equipment includes DVR).
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may utilize DVR, as suggested by Border, for the benefit of storing information gathered by the user (Border, Para. 0848).

Regarding claim 57, Maltz discloses the elements of claim 56 as outline above.
Maltz does not explicitly disclose the DVR functions include any or any combination of play, pause, record and replay.
Border discloses DVR functions include any or any combination of play, pause, record (Para. 0848, DVR [digital video recorder, DVR, is understood to have record functionality]) and replay.
It would have been obvious to one of ordinary skill in the art at the time of the invention that the wearable optics device of Maltz may utilize DVR, as suggested by Border, for the benefit of storing information gathered by the user (Border, Para. 0848).

Claims 1 and 6-58 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

Electronic Patent Application Fee Transmittal

Application Number:	13739929
Filing Date:	11-Jan-2013
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Jackie Tanda
Attorney Docket Number:	3448C-3

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
		Total in USD ($)		**90**

Electronic Acknowledgement Receipt	
EFS ID:	21587576
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Jackie Tanda
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	24-FEB-2015
Filing Date:	11-JAN-2013
Time Stamp:	16:57:46
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$90
RAM confirmation Number	3775
Deposit Account	022120
Authorized User	
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	611975 1b74f4a6127622f0d1fbed0fe29c117841ae8ea2	no	4
Warnings:					
Information:					
A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.					
2	Other Reference-Patent/App/Search documents	NPL1.pdf	1389232 16520e311664b0f21d7f261d8e439cb734370ba9	no	20
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3	Fee Worksheet (SB06)	fee-info.pdf	30297 90465e52faa193219eb6ca1d7fbf8455e0f08f32	no	2
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		Total Files Size (in bytes):	2031504		

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
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New International Application Filed with the USPTO as a Receiving Office
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PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. Lewis
Art Unit	2872
Examiner Name	COLLINS, DARRYL J
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	7677723		2010-03-16	Howell et al.	
	2	7629877		2009-12-08	Lvovskiy et al.	

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20060061544		2006-03-23	Min et al.	
	2	20120056993		2012-03-08	Luqman et al.	
	3	20120242678		2012-09-27	Border et al.	

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	The International Search Report and the Written Opinion of the International Searching Authority for International Application No. PCT/US2014/029520, mailed December 1, 2014 (5267PCT)	☐

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Examiner Signature		Date Considered	

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[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2015-01-08
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	13739929
Filing Date:	11-Jan-2013
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Jackie Tanda
Attorney Docket Number:	3448C-3

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
		Total in USD ($)		**90**

Electronic Acknowledgement Receipt

EFS ID:	21161443
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Jackie Tanda
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	08-JAN-2015
Filing Date:	11-JAN-2013
Time Stamp:	17:54:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$90
RAM confirmation Number	4566
Deposit Account	022120
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	612036 75fad6f8f533272aa99cae2143b6e4d563d9e0bb	no	4
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30296 856694d04eb4ef841a733dedea3eb43d1bf00a02	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	642332		

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

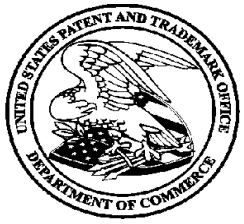
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303



Courtesy Reminder for
Application Serial No: 13/739,929

Attorney Docket No: 3448C-3
Customer Number: 29141
Date of Electronic Notification: 12/16/2014

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

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29141 7590 12/16/2014

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER
COLLINS, DARRYL J

ART UNIT	PAPER NUMBER
2872	

DATE MAILED: 12/16/2014

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

TITLE OF INVENTION: DIGITAL EYEWEAR

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	03/16/2015

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

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II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

29141 7590 12/16/2014
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

TITLE OF INVENTION: DIGITAL EYEWEAR

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	03/16/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
COLLINS, DARRYL J	2872	351-158000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:
- ❑ Issue Fee
- ❑ Publication Fee (No small entity discount permitted)
- ❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): (**Please first reapply any previously paid issue fee shown above**)
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ❑ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ Applicant certifying micro entity status. See 37 CFR 1.29 — NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
- ❑ Applicant asserting small entity status. See 37 CFR 1.27 — NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
- ❑ Applicant changing to regular undiscounted fee status. — NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Magic Leap, Inc. Exhibit 1002 Page 99

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

29141 7590 12/16/2014

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER	
COLLINS, DARRYL J	
ART UNIT	PAPER NUMBER
2872	

DATE MAILED: 12/16/2014

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 13/739,929	Applicant(s) LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	Art Unit 2872	AIA (First Inventor to File) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed 29 October 2014*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are *1-5 and 7-23*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 10292014
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
5. ☐ Examiner's Amendment/Comment
6. ☒ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/DARRYL J COLLINS/
Primary Examiner, Art Unit 2872

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on October 29, 2014 has been considered by the examiner.

Terminal Disclaimer

The terminal disclaimer filed on October 29, 2014 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Number 7,918,556 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The terminal disclaimer filed on October 29, 2014 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Number 7,758,185 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The terminal disclaimer filed on October 29, 2014 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Number 8,353,594 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

Claims 1-5 and 7-23 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claims, in such a manner that a rejection under 35 U.S.C. §102 or §103 would be proper. Although the prior art teaches eyewear comprising, a frame member, a lens, circuitry within the frame member for enhancing the use of the eyewear, and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user, the prior art fails to teach such eyewear further comprising an information bar provided on the lens as claimed in independent claims 1, 12, 17 and 18, such eyewear further comprising circuitry providing any of a cell phone, media focals and an MP3 player as claimed in independent claim 5, such eyewear further comprising a client server system as claimed in independent claims 7, 13 and 16, such eyewear further comprising a pushbutton control system as claimed in independent claim 10, such eyewear further comprising circuitry providing any of texts, email, multimedia information and caller id as claimed in independent claim 11, such eyewear further comprising a set of integrated media enhancements as claimed in independent claim 20, or such eyewear further comprising a binocular mechanism as claimed in independent claim 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARRYL J. COLLINS whose telephone number is (571)272-2325. The examiner can normally be reached on 6:30 - 5:00 Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Darryl J. Collins/
Primary Examiner
Art Unit 2872

08 December 2014

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	Art Unit
	DARRYL J COLLINS	2872

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
351	158	11/5/2013	DJC
385	8	11/5/2013	DJC
359	13, 630-633	11/5/2013	DJC
345	7-9	11/5/2013	DJC
	UPDATED	4/22/2014	DJC
	UPDATED	12/8/2014	DJC

SEARCH NOTES		
Search Notes	Date	Examiner
BRS EAST Search (USOCR, USPGPUB, USPAT, EPO, JPO, Derwent, IBM_TDB) attached	11/5/2013	DJC
BRS EAST Search (updated and attached)	4/22/2014	DJC
BRS EAST Search (updated and attached)	12/8/2014	DJC

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
351	158	12/8/2014	DJC
385	8	12/8/2014	DJC
345	7-9	12/8/2014	DJC
359	13, 630-633	12/8/2014	DJC

INTERFERENCE SEARCH			
US Class/ CPC Symbol	**US Subclass / CPC Group**	**Date**	**Examiner**
	BRS EAST Interference Search (UPAD and USPGPUB) attached	12/8/2014	DJC

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	Art Unit
	DARRYL J COLLINS	2872

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	11/05/2013	04/22/2014	12/08/2014						
1	1	✓	✓	=						
2	2	✓	✓	=						
3	3	✓	✓	=						
4	4	✓	✓	=						
7	5	✓	✓	=						
	6	✓	✓	-						
8	7	✓	✓	=						
5	8	✓	✓	=						
6	9	✓	✓	=						
9	10	✓	✓	=						
10	11		✓	=						
11	12		✓	=						
12	13		✓	=						
13	14		✓	=						
14	15		✓	=						
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18	19		✓	=						
19	20		✓	=						
20	21		✓	=						
21	22		✓	=						
22	23		✓	=						

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BIB DATA SHEET

CONFIRMATION NO. 8057

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/739,929	01/11/2013	351	2872	3448C-3

APPLICANTS

Percept Technologies Inc., Las Vegas, NV, Assignee (with 37 CFR 1.172 Interest);

INVENTORS

Scott W. Lewis, Los Gatos, CA;

**** CONTINUING DATA ***************************

This application is a CON of 13/078,589 04/01/2011 PAT 8353594 *
which is a CON of 12/621,423 11/18/2009 PAT 7918556
which is a CON of 12/029,068 02/11/2008 PAT 7758185
which is a DIV of 11/245,756 10/07/2005 ABN
(*)Data provided by applicant is not consistent with PTO records.

**** FOREIGN APPLICATIONS ***************************

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
02/04/2013

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /DARRYL J COLLINS/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		CA	6	~~16~~ 22	~~1~~ 12

ADDRESS

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303
UNITED STATES

TITLE

DIGITAL EYEWEAR

FILING FEE RECEIVED		
2608	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

BIB (Rev. 05/07).

Receipt date: 10/29/2014
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. 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 contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					

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	1							☐

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

EFS Web 2.1.17

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 10/29/2014	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

/DJC/	1	The International Search Report and the Written Opinion of the International Searching Authority for International Application No. PCT/US2014/029553, mailed August 27, 2014	☐

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

EXAMINER SIGNATURE

Examiner Signature	/Darryl J. Collins/	Date Considered	12/04/2014

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 10/29/2014	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2014-10-29
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

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Receipt date: 10/29/2014

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	**Art Unit**
	DARRYL J COLLINS	2872

CPC						
Symbol					**Type**	**Version**
G02C		11	/	10	F	2013-01-01
G09G		3	/	00	I	2013-01-01
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CPC Combination Sets							
Symbol					**Type**	**Set**	**Ranking**	**Version**
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			/					

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 22	
/DARRYL J COLLINS/ Primary Examiner.Art Unit 2872 (Primary Examiner)	12/08/2014 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	**Art Unit**
	DARRYL J COLLINS	2872

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
351	158	G	0	2	C	11 / 00 (2006.01.01)						
CROSS REFERENCE(S)		G	0	9	G	3 / 00 (2006.01.01)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											
345	7											

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	22	
/DARRYL J COLLINS/ Primary Examiner.Art Unit 2872	12/08/2014	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	**Art Unit**
	DARRYL J COLLINS	2872

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	16	17												
2	2	17	18												
3	3	18	19												
4	4	19	20												
7	5	20	21												
	6	21	22												
8	7	22	23												
5	8														
6	9														
9	10														
10	11														
11	12														
12	13														
13	14														
14	15														
15	16														

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 22	
/DARRYL J COLLINS/ Primary Examiner.Art Unit 2872 (Primary Examiner)	12/08/2014 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	425	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	USPAT	OR	OFF	2013/06/24 15:33
S2	5	S1 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:34
S3	798	((head near3 up) same display).clm.	USPAT	OR	ON	2013/06/24 15:37
S4	6	S3 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:37
S5	7321	((351/158) or (285/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S6	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S7	338	S6 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:47
S8	4217	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:48
S10	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 08:27
S11	29	S10 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S12	338	S10 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/27 08:27

			DERWENT; IBM_TDB			
S13	3	S11 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S14	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S15	23	S14 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S16	26	S13 or S15	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S17	23	lens same ((eye near2 (track$3 or respons$4 or movement)) near6 cursor)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:52
S18	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:56
S19	247	S18 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 09:56
S20	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S21	338	S20 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S22	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S23	29	S22 and oculometer	US-PGPUB;	OR	ON	2013/06/27

			USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			09:57
S24	338	S22 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S25	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S26	214	S19 not (S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 09:57
S27	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:17
S28	268	S27 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 10:17
S29	2463	S27 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S30	16	S28 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S31	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:22
S32	91	S31 not (S19 or S21 or S23 or S24 or S25 or S28)	USPAT	OR	OFF	2013/06/27 10:29
S33	53	(("20120147043") or ("RE39539") or ("4659197") or ("6231183") or ("7500747") or ("4300818") or ("5671035") or ("6879443") or ("7484847") or ("7758185") or ("7918556") or ("20050001981") or ("20040097839") or ("20040212776") or ("20060023158") or ("20050248722") or ("20050097179") or ("20060093998") or ("20060132382") or ("20100045928") or ("20100145729") or ("20050248722") or ("20050097179") or ("20100079356") or ("20100110368")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 10:36
S34	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/06/27 14:36

			IBM_TDB			
S35	247	S34 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S36	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S37	338	S36 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S38	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S39	29	S38 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S40	338	S38 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S41	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S42	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S43	268	S42 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S44	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S45	536	S44 or S35 or S37 or S39 or S40 or S41 or S43	USPAT	OR	OFF	2013/06/27 14:36
S46	165	S45 and reality	USPAT	OR	OFF	2013/06/27 14:37

S47	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 15:43
S48	247	S47 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 15:43
S49	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S50	247	S49 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S51	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S52	338	S51 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S53	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S54	29	S53 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S55	338	S53 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S56	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S57	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11

S58	268	S57 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S59	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S60	536	S59 or S50 or S52 or S54 or S55 or S56 or S58	USPAT	OR	OFF	2013/06/27 16:11
S61	38	S60 and (lighten or darken)	USPAT	OR	OFF	2013/06/27 16:11
S62	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:05
S63	1	S62 and (eye near4 track$4)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:06
S64	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:08
S65	364	S64 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:08
S66	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:09
S67	30	S66 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S68	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S69	531	S68 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/10 15:10

			IBM_TDB			
S70	367	S65 or S67	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S71	843	S69 or S70	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S72	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S73	364	S72 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S74	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S75	30	S74 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S76	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S77	531	S76 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S78	367	S73 or S75	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S79	843	S77 or S78	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 14:50

			IBM_TDB			
S80	781	S79 and (phone or computer or laptop or display or portable)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S81	490	S80 and (contrast or shading or opacity)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:53
S82	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 15:19
S83	0	S82 and (inverse near2 shading)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S84	7	S82 and shading	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S85	675	S79 and (view$3 same (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S86	584	S79 and (view$3 near6 (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S87	125	S79 and ((contrast or shading or opacity) same (view$3 near6 (phone or computer or laptop or display or portable)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:27
S88	301	S79 and ((stack$3 or layer$3) same (pixel or lens))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 16:12
S89	113	S79 and (object near2 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 16:26

			IBM_TDB			
S90	4	"8353594"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:42
S91	2	("7918556").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:44
S92	4	(("7758185") or ("20070081123")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:47
S93	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:00
S94	4472	S93 and (circuit$3 or electronic)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:01
S95	1075	S93 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:02
S96	181	S95 and ((information near2 bar) or menu or icon)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:13
S97	2	("20060023158").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:27
S98	2	("20060093998").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 10:35
S99	727	S95 and reflect$3	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/11/05 10:43

			IBM_TDB			
S100	162	S95 and (reflect$3 near2 lens)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 10:43
S101	4407	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S102	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 13:54
S103	12530	S101 or S102	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S104	85	S103 and lewis.in.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S105	218409	S104 adn lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S106	28	S104 and lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S107	25	"6231183"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 14:21
S108	1207	S102 and (logo or decorative or symbol)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:22
S109	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/11/05 14:24

			IBM_TDB			
S110	1075	S109 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S111	243	S110 and S108	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S112	315	(D16/101).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:17
S113	72	(351/159.69).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:23
S114	2	S113 and logo	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:25
S115	37665	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 11:54
S116	8928	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 11:55
S117	45258	S115 or S116	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 11:55
S118	2867	S117 and (digital near2 camera)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 11:55
S119	353	S118 and (eye near2 (track$3 or respons$4 or movement or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 11:56
S120	2	("20100053549").PN.	US-PGPUB; USPAT; USOCR;	OR	OFF	2014/04/21 12:59

			EPO; JPO; DERWENT; IBM_TDB			
S121	37665	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 13:30
S122	8928	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 13:30
S123	45258	S121 or S122	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 13:30
S124	94	S123 and ((download$4 or updat$4) same prescription)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:30
S125	13300	S123 and (face or facial)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:53
S126	740	S123 and ((face or facial) near5 (movement or expression))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:53
S127	115	S123 and (respons$4 same ((face or facial) near5 (movement or expression)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:58
S128	7407	S123 and voice	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:13
S129	2440	S123 and (voice near4 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:13
S130	15236	S123 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:20
S131	1335	S121 and S122	US-PGPUB;	OR	ON	2014/04/21

			USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			14:21
S132	145	S131 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:21
S133	682	S123 and ((subscribe or download) same music)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:24
S134	31452	(eyewear or eyeglasses or spectacles or goggles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 14:32
S135	34809	S122 or S134	USPAT	OR	ON	2014/04/21 14:32
S136	53	S135 and ((subscribe or download) same music)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:32
S137	71	(US-20050206583-$ or US-20090103044-$ or US-20100110368-$ or US-20110043644-$ or US-20110109528-$ or US-20110221659-$ or US-20110241976-$ or US-20120021806-$ or US-20120188148-$ or US-20130208482-$ or US-20130208234-$ or US-20130201080-$ or US-20130187943-$ or US-20130170031-$ or US-20130163089-$ or US-20130162673-$ or US-20130162505-$ or US-20130147838-$ or US-20130147687-$ or US-20130127980-$ or US-20130114043-$ or US-20120293773-$ or US-20120212414-$ or US-20120194553-$ or US-20120068913-$ or US-20060023158-$).did. or (US-20120081657-$ or US-20100066972-$ or US-20070081121-$ or US-20140028967-$ or US-20100289723-$).did. or (US-4848890-$ or US-4852988-$ or US-4884219-$ or US-5331149-$ or US-5412439-$ or US-5467104-$ or US-5583335-$ or US-5703637-$ or US-5742264-$ or US-5751260-$ or US-5757339-$ or US-5991085-$ or US-6198462-$ or US-6307526-$ or US-6373961-$ or US-6608615-$ or US-6636185-$ or US-6710927-$ or US-6847336-$ or US-6786610-$ or US-7190518-$ or US-8235529-$ or US-8135227-$ or US-6456438-$ or US-7651220-$ or US-7744214-$).did. or (US-5671035-$ or	US-PGPUB; USPAT; USOCR	OR	OFF	2014/04/22 07:50

		US-5583795-$ or US-5844530-$ or US-6222508-$ or US-8353594-$ or US-7918556-$ or US-7758185-$ or US-6231183-$ or US-7448751-$ or US-6099124-$ or US-6491391-$ or US-7738179-$ or US-7677734-$).did. or (US-1615067-$).did.				
S138	19	S137 and ((caller near2 ID) or (e adj mail))	US-PGPUB; USPAT; USOCR	OR	ON	2014/04/22 07:51
S139	34	S137 and media	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:21
S140	59	S137 and (eye near2 (track$4 or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:33
S141	22	S137 and noise	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:41
S142	523	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	USPAT	OR	OFF	2014/12/08 07:42
S143	8	S142 and (eye near5 track$3).clm.	USPAT	OR	OFF	2014/12/08 07:42
S144	945	((head near3 up) same display).clm.	USPAT	OR	ON	2014/12/08 07:42
S145	8	S144 and (eye near5 track$3).clm.	USPAT	OR	OFF	2014/12/08 07:42
S146	9766	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:42
S147	489	S146 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S148	5044	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S149	9766	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2014/12/08 07:42

			IBM_TDB			
S150	32	S149 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S151	489	S149 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S152	33	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S153	9398	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S154	338	S153 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2014/12/08 07:42
S155	496	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 07:42
S156	5779	S143 or S145 or S147 or S148 or S150 or S151 or S152 or S154 or S155	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:42
S157	2316577	@pd>="20140401"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:43
S158	578	S156 and S157	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 07:44
S159	43649	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/12/08 08:02
S160	9766	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02

S161	51997	S159 or S160	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S162	116	S161 and ((download$4 or updat$4) same prescription)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S163	14836	S161 and (face or facial)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S164	855	S161 and ((face or facial) near5 (movement or expression))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S165	132	S161 and (respons$4 same ((face or facial) near5 (movement or expression)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S166	9484	S161 and voice	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S167	3036	S161 and (voice near4 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S168	19587	S161 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/12/08 08:02
S169	71	(US-20050206583-$ or US-20090103044-$ or US-20100110368-$ or US-20110043644-$ or US-20110109528-$ or US-20110221659-$ or US-20110241976-$ or US-20120021806-$ or US-20120188148-$ or US-20130208482-$ or US-20130208234-$ or US-20130201080-$ or US-20130187943-$ or US-20130170031-$ or US-20130163089-$ or US-20130162673-$ or US-20130162505-$ or US-20130147838-$ or US-20130147687-$ or US-	US-PGPUB; USPAT; USOCR	OR	OFF	2014/12/08 08:02

		20130127980-$ or US-20130114043-$ or US-20120293773-$ or US-20120212414-$ or US-20120194553-$ or US-20120068913-$ or US-20060023158-$).did. or (US-20120081657-$ or US-20100066972-$ or US-20070081121-$ or US-20140028967-$ or US-20100289723-$).did. or (US-4848890-$ or US-4852988-$ or US-4884219-$ or US-5331149-$ or US-5412439-$ or US-5467104-$ or US-5583335-$ or US-5703637-$ or US-5742264-$ or US-5751260-$ or US-5757339-$ or US-5991085-$ or US-6198462-$ or US-6307526-$ or US-6373961-$ or US-6608615-$ or US-6636185-$ or US-6710927-$ or US-6847336-$ or US-6786610-$ or US-7190518-$ or US-8235529-$ or US-8135227-$ or US-6456438-$ or US-7651220-$ or US-7744214-$).did. or (US-5671035-$ or US-5583795-$ or US-5844530-$ or US-6222508-$ or US-8353594-$ or US-7918556-$ or US-7758185-$ or US-6231183-$ or US-7448751-$ or US-6099124-$ or US-6491391-$ or US-7738179-$ or US-7677734-$).did. or (US-1615067-$).did.				
S170	19	S169 and ((caller near2 ID) or (e adj mail))	US-PGPUB; USPAT; USOCR	OR	ON	2014/12/08 08:02
S171	34	S169 and media	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S172	59	S169 and (eye near2 (track$4 or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S173	22	S169 and noise	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S174	31034	S162 or S163 or S164 or S165 or S166 or S167 or S168 or S170 or S171 or S172 or S173	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:02
S175	5574	S174 and S157	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/08 08:03

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S176	772	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	US-PGPUB; UPAD	OR	OFF	2014/12/08 08:07
S177	1102	((head near3 up) same display).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:07
S178	1837	S176 or S177	US-PGPUB; UPAD	OR	ON	2014/12/08 08:07
S179	39	S178 and (eye near5 track$3).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:07
S180	2241	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; UPAD	OR	OFF	2014/12/08 08:08
S181	66	S180 and (eye near5 track$3).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:08
S182	94	S179 or S181	US-PGPUB; UPAD	OR	ON	2014/12/08 08:08
S183	9059	lewis.in.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:12
S184	32	S183 and (eye near5 (track$3 or sensor or motion)).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:15
S185	39	S179 and (eye near5 (track$3 or sensor or motion)).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:15
S186	68	S178 and (eye near5 (track$3 or sensor or motion)).clm.	US-PGPUB; UPAD	OR	ON	2014/12/08 08:15
S187	93	S184 or S186	US-PGPUB; UPAD	OR	ON	2014/12/08 08:16

12/8/2014 9:26:00 AM
C:\Users\dcollins2\Documents\EAST\Workspaces\13739929.wsp

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination	
	13/739,929	LEWIS, SCOTT W.	

Document Code - DISQ	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 10/29/14	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

3/Tds all approved.

Lawana Hixon

U.S. Patent and Trademark Office

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	3448C-3

CONFIRMATION NO. 8057

29141
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

POA ACCEPTANCE LETTER

OC000000071650713

Date Mailed: 11/04/2014

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/29/2014.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/dtdinh/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	3448C-3

CONFIRMATION NO. 8057

29141
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POWER OF ATTORNEY NOTICE

OC000000071650690

Date Mailed: 11/04/2014

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/29/2014.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/dtdinh/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/739,929	01/11/2013	2872	2608	3448C-3	10	1

CONFIRMATION NO. 8057

REPLACEMENT FILING RECEIPT

29141
Sawyer Law Group, P.C.
P.O. Box 51418
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OC000000071650896

Date Mailed: 11/04/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Scott W. Lewis, Los Gatos, CA;

Applicant(s)

Percept Technologies Inc., Las Vegas, NV

Power of Attorney: The patent practitioners associated with Customer Number 29141

Domestic Priority data as claimed by applicant

This application is a CON of 13/078,589 04/01/2011 PAT 8353594 *
which is a CON of 12/621,423 11/18/2009 PAT 7918556
which is a CON of 12/029,068 02/11/2008 PAT 7758185
which is a DIV of 11/245,756 10/07/2005 ABN
(*)Data provided by applicant is not consistent with PTO records.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

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If Required, Foreign Filing License Granted: 02/04/2013
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/739,929**
Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****
Title

DIGITAL EYEWEAR

Preliminary Class

351

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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PTO/SB/30EFS (07-09)
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REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	13739929	Filing Date	2013-01-11	Docket Number (if applicable)	3448C-3	Art Unit	2872
First Named Inventor	Scott W. LEWIS			Examiner Name	Collins, Darryl J.		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☒ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 022120

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

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Signature of Registered U.S. Patent Practitioner			
Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2014-10-29
Name	Joseph A. Sawyer, Jr.	Registration Number	30801

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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(Submitted Only via EFS-Web)

Application Number	13739929	Filing Date	2013-01-11	Docket Number (if applicable)	3448C-3	Art Unit	2872
First Named Inventor	Scott W. LEWIS			Examiner Name	Collins, Darryl J.		

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☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

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- ☒ Amendment/Reply
- ☒ Information Disclosure Statement (IDS)
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MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

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FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

PTO/SB/30EFS (07-09)
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Signature of Registered U.S. Patent Practitioner			
Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2014-10-29
Name	Joseph A. Sawyer, Jr.	Registration Number	30801

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Scott W. LEWIS	Confirmation No. 8057
Serial No. 13/739,929	Group Art Unit: 2872
Filed: 1/11/2013	Examiner: Collins, Darryl J
For: DIGITAL EYEWEAR	

MAIL STOP RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION OF APRIL 29, 2014

Sir:

In response to the Final Office Action of April 29, 2014, Applicant submits the following amendments and remarks:

Amendments to the Claims begin on page 2 of this paper.
Remarks begin on page 8 of this paper.
There are 10 pages to this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions of the claims in the present application:

Listing of Claims:

1. (Currently Amended) Eyewear comprising:

a frame member;

a lens;

circuitry within the frame member for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user; wherein an information bar is provided on the lens.

2. (Currently Amended) The eyewear of claim 1 wherein the ~~circuitry provides an~~ information bar is provided across the lens for a user.

3. (Original) The eyewear of claim 1 wherein the lens is reflective.

4. (Original) The eyewear of claim 1 wherein the lens is partially reflective.

5. (Currently Amended) ~~The eyewear of claim 1~~ Eyewear comprising:

a frame member;

a lens;

circuitry within the frame member for enhancing the use of the eyewear; and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user; wherein the circuitry provides any of a cell phone, media focals, and an MP3 player.

6. (Cancelled)

7. (Currently Amended) ~~The eyewear of claim 1~~ Eyewear comprising:

a frame member;

a lens;

circuitry within the frame member for enhancing the use of the eyewear; and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user; wherein the eyewear can be utilized in a client server system to allow for the display of certain information.

8. (Original) The eyewear of claim 1 wherein a logo is placed on a front surface of the lens.

9. (Previously Presented) The eyewear of claim 1 wherein the eyewear incorporates a camera to project a reciprocal display using a second lens.

10. (Currently Amended) ~~The eyewear of claim 1~~ Eyewear comprising:

a frame member;

a lens;

circuitry within the frame member for enhancing the use of the eyewear; and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user; wherein the eyewear includes a pushbutton system for control.

11. (Currently Amended) ~~The eyewear of claim 1~~ Eyewear comprising:

a frame member;

a lens;

circuitry within the frame member for enhancing the use of the eyewear; and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user; wherein the circuitry can provide any of texts, email; multimedia information; caller id.

12. (Currently Amended) Eyewear comprising:

a frame member;

a lens, wherein an information bar is provided on the lens;

a digital camera;

circuitry within the frame member and coupled to the camera for enhancing the use of the eyewear, wherein the circuitry provides any of a cell phone, media focals, and an MP3 player, or wherein the circuitry can provide any of texts, email; multimedia information; caller id; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user,

wherein the eyewear can be utilized in a client server system to allow for the display of certain information, or wherein the eyewear includes a pushbutton system for control.

13. (Currently Amended) Eyewear comprising:

a frame member;

a lens; and;

circuitry within the frame member for enhancing the use of the eyewear; an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user; wherein the circuitry allows for a new eye prescription to be downloaded to the lens,

wherein the eyewear can be utilized in a client server system to allow for the display of certain information, or wherein the eyewear includes a pushbutton system for control, or wherein the circuitry can provide any of texts, email; multimedia information; caller id.

14. (Previously Presented) The eyewear of claim 13, wherein the lens has a set of integrated media enhancements.

15. (Previously Presented) The eyewear of claim 13 further comprises an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

16. (Previously Presented) Eyewear comprising:

a frame member;

a lens; and;

circuitry within the frame member for enhancing the use of the eyewear utilizing a client server model; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

17. (Currently Amended) Eyewear comprising:

a frame member;

a lens, wherein an information bar is provided on the lens; and;

circuitry within the frame member for enhancing the use of the eyewear; and

at least one motion sensor coupled to the frame member, an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user, the at least one motion sensor activating the circuitry responsive to facial movements of a user, wherein the eyewear can be utilized in a client server system to allow for the display of certain information, or wherein the eyewear includes a pushbutton system for control, or wherein the circuitry can provide any of texts, email; multimedia information; caller id.

18. (Currently Amended) Eyewear comprising:

a frame member;

a lens, wherein an information bar is provided on the lens; wherein the lens has a set of integrated media enhancements, wherein an information is provided on the lens, an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user, and;

circuitry within the frame member for enhancing the use of the eyewear; wherein the circuitry includes voice recognition when a speaker is recognized, wherein the eyewear can be utilized in a client server system to allow for the display of certain information, or wherein the eyewear includes a pushbutton system for control, or wherein the circuitry can provide any of texts, email; multimedia information; caller id.

19. (Previously Presented) The eyewear of claim 18, wherein the circuitry includes noise cancellation being utilized with the recognized speaker.

20. (Previously Presented) Eyewear comprising:

a frame member;

a lens; wherein the lens has a set of integrated media enhancements; wherein the integrated media enhancements include music services; circuitry within the frame member for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

21. (Currently Amended) The eEyewear of claim 20, ~~comprising:~~

~~a frame member;~~

~~a lens; wherein the lens has a set of integrated media enhancements; wherein the integrated media enhancements include music services,~~ wherein the music services include any of lyrics of the song, notes of the song, name of the song or other associated references~~; and~~

~~circuitry within the frame member for enhancing the use of the eyewear~~.

22. (Previously Presented) the eyewear of claim 21, wherein downloading and billing for selected music is authorized and access to a plurality of libraries for music selections are provided.

23. (Previously Presented) Eyewear comprising:

a frame member;

a lens;

a binocular mechanism;

circuitry within the frame member and coupled to the binocular mechanism for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

REMARKS

Claims 1-23 are pending in the present application. Claims 1-23 have been rejected. Claims 1, 2, 5, 7, 10-13, 17, 18 and 21 have been amended to clarify the recited invention. Claim 6 has been cancelled. No new matter has been added. Accordingly, claims 1-5 and 7-23 are now pending in the present application. Applicant respectfully submits that the pending claims are now in condition for allowance.

Applicants are not conceding in this application that the original or previous claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of the claimed subject matter. Applicants respectfully reserve the right to pursue the original and other claims in one or more continuations and/or divisional patent applications.

Terminal Disclaimer

The Examiner states,

The terminal disclaimer does not comply with 37 CFR 1.321 because:
This application was filed on or after September 16, 2012. The party identified in the terminal disclaimer is not the applicant of record.

Applicant hereby resubmits three terminal disclaimers which identify the correct Applicant of record.

Double Patenting

The Examiner states,

Claims 1 and 23 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent Number 7,758,185.

Claims 1-10, 12, 16 and 23 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 7,918,556.

Claims 1-10, 12 and 16 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 8,353,594.

Claims 11 and 20 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent Number 7,758,185 in view of Wallace (U.S. Patent Number 7,677,734).

Claims 11 and 20 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent Number 7,918,556 in view of Wallace (U.S. Patent Number 7,677,734).

Claims 11 and 20 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent Number 8,353,594 in view of Wallace (U.S. Patent Number 7,677,734).

Applicant files herewith three terminal disclaimers to obviate these rejections.

Allowable Subject

Applicant respectfully submits that claims 2-11, 16, 20 and 23 include allowable subject matter since none of the art of record has been utilized to reject these claims. Claim 1 has been amended to include the limitations of claim 6. Claims 16, 20 and 23 are allowable over the cited art. Claims 5, 7, 10 and 11 have been rewritten in independent form. Claim 12 has been amended to include the limitations of claims 5, 6, 7, 10 and 11. Claims 17 and 18 have been amended to include the limitations of at least allowable claim 1 and are therefore allowable based upon those limitations as well as being allowable on their own individual merits. Accordingly Applicants respectfully submit that claims 1-5 and 7-23 are now in allowable form. Therefor Applicants request reconsideration and allowance of the claims as now presented.

Conclusion

Accordingly, Applicant respectfully requests reconsideration and allowance of claims 1-23 as now presented. Applicant's attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
Sawyer Law Group, P.C.

October 29, 2014 /Joseph A. Sawyer, Jr./

Joseph A. Sawyer, Jr.
Reg. No. 30,801
Attorney for Applicant(s)

Customer Number 29141
Telephone: (650) 493-4540
Fax: (650) 493-4549

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

	1	The International Search Report and the Written Opinion of the International Searching Authority for International Application No. PCT/US2014/029553, mailed August 27, 2014	☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	COLLINS, DARRYL J
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2014-10-29
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: JOSEPH A. SAWYER
SAWYER LAW GROUP, P.C.
P.O. BOX 51418
PALO ALTO, CA 94303

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 5087PCT	Date of mailing *(day/month/year)* 27 AUG 2014 **FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US2014/029553	International filing date *(day/month/year)* 14 March 2014
Applicant PERCEPT TECHNOLOGIES, INC.	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   How? Directly to the International Bureau of WIPO preferably through ePCT or on paper to, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

   For more detailed instructions, see *PCT Applicant's Guide,* International Phase, paragraphs 9.004 – 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
   ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.
   ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

   Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide,* National Chapters.

   Within **19 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide,* International Phase, paragraphs 8.006-8.032.

Name and mailing address of the ISA/ Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer Blaine R. Copenheaver PCT Helpdesk: 571-272-4300 Telephone No. PCT OSP: 571-272-7774

Form PCT/ISA/220 (July 2014)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 5087PCT	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2014/029553	International filing date *(day/month/year)* 14 March 2014	(Earliest) Priority Date *(day/month/year)* 15 March 2013
Applicant PERCEPT TECHNOLOGIES, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).

c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (see Box No. II).

3. ☐ **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

Form PCT/ISA/210 (first sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2014/029553

A. CLASSIFICATION OF SUBJECT MATTER
IPC(8) - A61B 3/14 (2014.01)
USPC - 351/210
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC(8) - A61B 3/10, 14, 113; G02C 5/00, 7/02 (2014.01)
USPC - 351/41, 201, 158, 159

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
CPC - A61B 3/10, 14, 113; G02C 5/00, 7/02 (2014.02)

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
PatBase, Google Patents, Google

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X --- Y	US 4,659,197 A (WEINBLATT) 21 April 1987 (21.04.1987) entire document	1, 104, 109-112, 114, 115, 131, 154-170, 172-174, 177, 178, 181, 182, 190, 192, 194, 375-383, 389-391 ---- 100-103, 105-108, 113, 171, 175, 176, 179, 180, 191, 193, 195-201, 384-388, 392-393, 395
Y	US 2007/0081123 A1 (LEWIS) 12 April 2007 (12.04.2007) entire document	100-103, 105-108, 113, 171, 175, 176, 179, 180, 191, 193, 195-201, 384-388, 392-393, 395
A	US 2005/0248722 A1 (NELIS) 10 November 2005 (10.11.2005) entire document	1, 100-115, 131, 154-182, 190-201, 375-393, 395
A	US 2006/0023158 A1 (HOWELL et al.) 02 February 2006 (02.02.2006) entire document	1, 100-115, 131, 154-182, 190-201, 375-393, 395

☐ Further documents are listed in the continuation of Box C. ☐

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
04 August 2014	27 AUG 2014
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Blaine R. Copenheaver PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/210 (second sheet) (July 2009)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: JOSEPH A. SAWYER
SAWYER LAW GROUP, P.C.
P.O. BOX 51418
PALO ALTO, CA 94303

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	27 AUG 2014
Applicant's or agent's file reference 5087PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2014/029553	14 March 2014	15 March 2013

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - A61B 3/14 (2014.01)
USPC - 351/210

Applicant PERCEPT TECHNOLOGIES, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA/US	Date of completion of this opinion	Authorized officer:
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	04 August 2014	Blaine R. Copenheaver PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (July 2011)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029553

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed.

   ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029553

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	cont'd in supplemental box	YES
	Claims	1,104,109,112,131,154-159, 161,164	NO
Inventive step (IS)	Claims	None	YES
	Claims	1, 100-115, 131, 154-182, 190-201, 375-393, 395	NO
Industrial applicability (IA)	Claims	1, 100-115, 131, 154-182, 190-201, 375-393, 395	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1, 104, 109, 112, 131, 154-159, 161, 164 lack novelty under PCT Article 33(2) as being anticipated by Weinblatt.

Regarding claim 1, Weinblatt teaches a method (abstract) comprising: utilizing dynamic eye tracking (detection means 9, col. 4, lines 36-47; monitored eye movement, col. 6, lines 65-68 and col. 7, lines 1-13) with a wearable optics device (eyeglass mounted assembly 1 to an eyeglass frame, detection means 9 mounted on the adjustment means, and optical means 11 for combining the scene and eye movement images in order to superimpose the subject's eye movement on the scene being viewed, col. 4, lines 36-47); wherein parameters personalized to a user (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96; screw 99 moves support 97 with respect to housing 77; screw 103 moves prism 101 relative to housing 77, col. 7, lines 14-37) can be provided based upon the dynamic eye tracking (adjustment is accomplished by turning screw 99 as an X-axis adjustment, or a similar adjustment for Y-axis adjustment with another screw, col. 8, lines 17-20; the equipment operator determines the difference between the detected eye movement in the right and left directions by viewing a monitor on which the scene and eye movement outputs are superimposed, and then turns screw 103 until the difference is eliminated or at least minimized, col. 8, lines 29-42).

Regarding claim 131, Weinblatt teaches a wearable optics device (abstract) comprising: a lens (lens means 85 includes focusing lens 93, zoom lens 95, col. 7, lines 14-37); and a dynamic eye tracking mechanism (detection means 9, col. 4, lines 36-47; monitored eye movement, col. 6, lines 65-68 and col. 7, lines 1-13) in communication with the lens (lens means 85 from the eye movement monitoring devices mounted on the eyeglass frame includes a focusing lens 93, a zoom lens 95, and a movable support 97, col. 7, lines 14-37); wherein parameters personalized to a user (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96; screw 99 moves support 97 with respect to housing 77; screw 103 moves prism 101 relative to housing 77, col. 7, lines 14-37) can be provided based upon the dynamic eye tracking (adjustment is accomplished by turning screw 99 as an X-axis adjustment, or a similar adjustment for Y-axis adjustment with another screw, col. 8, lines 17-20; the equipment operator determines the difference between the detected eye movement in the right and left directions by viewing a monitor on which the scene and eye movement outputs are superimposed, and then turns screw 103 until the difference is eliminated or at least minimized, col. 8, lines 29-42).

Regarding claim 104, Weinblatt teaches the method of claim 1, as disclosed above, wherein the dynamic eye tracking utilizes movement of the pupils of the eye for navigation (the invention applies the corneal reflection method to monitor eye movement, col. 3, lines 12-42).

Regarding claim 109, Weinblatt teaches the method of claim 1, as disclosed above, wherein the wearable optics device comprises a plurality of lenses on eyeglasses (fig. 2).

Regarding claim 112, Weinblatt teaches the method of claim 109, as disclosed above, wherein the plurality of lenses comprising any or any combination of refractive, diffractive material (fig. 2).

Regarding claim 154, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, wherein the parameters include any of or any combination of prescriptions for improving the vision of a user, a zoom feature, a microscope feature, a retinal projection feature (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37).

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029553

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of:
(cont'd)

1. Statement

Novelty (N) Claims 100-103,105-108,110,111,113-115,160,162,163,165-176,179-182, 190-201, 375-393, 395 YES

Form PCT/ISA/237 (Supplemental Box) (July 2011)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2014/029553

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

Regarding claim 155, Weinblatt teaches the wearable optics device of claim 154, as disclosed above, wherein optical parameters are utilized (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37).

Regarding claim 156, Weinblatt teaches the wearable optics device of claim 155, as disclosed above, wherein the optical parameters include any or any combination of ciliary, pupil, corneal, retina, lens, iris measurements (the invention applies the corneal reflection method to monitor eye movement, col. 3, lines 12-42).

Regarding claim 157, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, wherein the parameters include any or any combination of a zoom feature, a microscope feature, magnifying feature, illumination feature; a retinal projection feature (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37).

Regarding claim 158, Weinblatt teaches the wearable optics device of claim 157, as disclosed above, wherein an illumination feature is directed to a specific area based upon the dynamic eye tracking (light source means 7 utilizes a grain bulb and an optical arrangement; optical arrangement focuses light from the bulb to a point a preset distance from tip 66 and enables the operator to place the focused beam on the subject's eye; detection means 9 picks up light reflected off the subject's eye, col. 6, lines 25-55).

Regarding claim 159, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, wherein the wearable optics device is utilized in a simulator (aircraft simulators, col. 1, lines 25-47).

Regarding claim 161, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, wherein the parameters include any or any combination of a zoom feature, a microscope feature, magnifying feature, illumination feature; a projector feature, a retinal projection feature (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37).

Regarding claim 164, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, wherein an illumination feature is directed to a specific area based upon the dynamic eye tracking mechanism (light source means 7 utilizes a grain bulb and an optical arrangement; optical arrangement focuses light from the bulb to a point a preset distance from tip 66 and enables the operator to place the focused beam on the subject's eye; detection means 9 picks up light reflected off the subject's eye, col. 6, lines 25-55).

Claims 100-103, 105-108, 113, 171, 175, 176, 179, 180, 191, 193, 195-201, 384-388, 392-393, 395 lack an inventive step under PCT Article 33(3) as being obvious over Weinblatt, and further in view of Lewis (US 2007/0081123 A1), hereinafter referred to as Lewis.

Regarding claim 100, Weinblatt teaches the method of 1, as disclosed above, but lacks the teaching wherein dynamic eye tracking is utilized to interface with a user application with the tablet, personal computer, portable device, mobile phone wearable sensors, wearable devices or the like. Lewis is in the field of eyewear including circuitry for enhancing the use of the eyewear (abstract) and teaches dynamic eye tracking is utilized to interface with a user application with the tablet, personal computer, portable device, mobile phone wearable sensors, wearable devices or the like (activity of the eye itself would control the activity of the media focal; so, for example, if the idea was to zoom the image, the eye would blink twice, para. 26; similar to the media focal, eyewear can be linked to external equipment such as digital cell phones, PDAs; such an embodiment could enable review of voicemail, screen viewed emails, text to speech conversions, multimedia messaging services, para. 40). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the user application interface of Lewis in the method of Weinblatt. The motivation would have been to allow the integration with, for instance, modem cell phones and, thereby, extend the marketability and functionality of the device.

Regarding claim 101, Weinblatt teaches the method of claim 100, as disclosed above, wherein optical parameters are utilized (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37).

Regarding claim 102, Weinblatt teaches the method of claim 101, as disclosed above, wherein the optical parameters include any or any combination of ciliary, pupil, corneal, retina lens, iris measurements (the invention applies the corneal reflection method to monitor eye movement, col. 3, lines 12-42).

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Regarding claim 103, Weinblatt teaches the method of 1, as disclosed above, but lacks the teaching wherein an application runs on a processor of the wearable optics device. Lewis teaches an application runs on a processor of the wearable optics device (digital circuitry 106, para. 20; circuitry 106 is located somewhere in the frame of the glasses to provide functionality, para. 24). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the application running on a processor of Lewis in the method of Weinblatt. The motivation would have been to allow the integration with, for instance, modern cell phones and, thereby, extend the marketability and functionality of the device.

Regarding claim 105, Weinblatt teaches the method of claim 1, as disclosed above, but lacks the teaching wherein the dynamic eye tracking is utilized to control an object. Lewis teaches the dynamic eye tracking is utilized to control an object (activity of the eye itself would control the activity of the media focal; so, for example, if the idea was to zoom the image, the eye would blink twice, para. 26; similar to the media focal, eyewear can be linked to external equipment such as digital cell phones, PDAs; such an embodiment could enable review of voicemail, screen viewed emails, text to speech conversions, multimedia messaging services, para. 40). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the object control of Lewis in the method of Weinblatt. The motivation would have been to allow the integration with, for instance, modern cell phones and, thereby, extend the marketability and functionality of the device.

Regarding claim 106, Weinblatt teaches the method of claim 1, as disclosed above, but lacks the teaching wherein the dynamic eye tracking incorporates facial recognition technology. Lewis teaches the dynamic eye tracking incorporates facial recognition technology (detecting facial and eye movements, para. 26). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the facial recognition technology of Lewis in the method of Weinblatt. The motivation would have been to allow a simple, more accurate system for tracking.

Regarding claim 107, Weinblatt teaches the method of claim 1, as disclosed above, but lacks the teaching wherein the dynamic eye tracking incorporates object recognition technology. Lewis teaches the dynamic eye tracking incorporates object recognition technology (detecting facial and eye movements, para. 26). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the recognition technology of Lewis in the method of Weinblatt. The motivation would have been to allow a means for integrating the functionality of an associated computer, thereby expanding the use of the device.

Regarding claim 108, Weinblatt teaches the method of claim 1, as disclosed above, but lacks the teaching wherein the dynamic eye tracking incorporates voice recognition technology. Lewis teaches the dynamic eye tracking incorporates voice recognition technology (voice recognition circuitry 504, para. 36) It would have been obvious to one of ordinary skill in the art at the time of the invention to use the voice recognition technology of Lewis in the method of Weinblatt. The motivation would have been to allow a simple, more accurate system for tracking.

Regarding claim 113, Weinblatt teaches the method of claim 109, as disclosed above, but lacks the teaching wherein the plurality of lenses comprising any or any combination of transparent LCD, LED, OLEO, flexible LED, flexible OLEO, transparent matrix, semi-transparent matrix, prism based, holographic , electroluminescence, eletroreflective, dynamic filtering materials. Lewis teaches the plurality of lenses comprising any or any combination of transparent LCD, LED, OLEO, flexible LED, flexible OLEO, transparent matrix, semi-transparent matrix, prism based, holographic , electroluminescence, eletroreflective, dynamic filtering materials (LCD, para. 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the LCD of Lewis in the method of Weinblatt. The motivation would have been to take advantage of the optical properties of the materials; while simultaneously allowing the device to be used with technology such as modern computer monitors.

Regarding claim 171, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the parameters can be transmitted to one or more third parties. Lewis teaches the parameters can be transmitted to one or more third parties (eyeglasses can function within a client/server model, para. 27; a digital client/server model could be adapted to link the eyewear to external communication equipment, such as digital cell phones, PDAs, para. 40, 41) It would have been obvious to one of ordinary skill in the art at the time of the invention to use the transitions of Lewis in the device of Weinblatt. The motivation would have been to allow the use of more information; and simultaneously, allow the integration with known Internet resources and social networking sites.

Regarding claim 175, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the one or more camera components and one or more communication components are utilized. Lewis teaches the one or more camera components and one or more communication components are utilized (camera; cell phone, para. 36, 37). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the camera, communication components of Lewis in the device of Weinblatt. The motivation would have been to allow the device to be integrated with modern cell phones and, thereafter, extend the functionality of the device.

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Regarding claim 176, Weinblatt teaches the wearable optics device of claim 175, as disclosed above, but lacks the teaching wherein the camera component utilizes any and any combination of transparent LCD, LED, OLEO, flexible LED, flexible OLEO, transparent matrix, semi-transparent matrix, prism based, holographic , electroluminescence, eletroreflective, dynamic filtering, refractive materials. Lewis teaches the camera component utilizes any and any combination of transparent LCD, LED, OLEO, flexible LED, flexible OLEO, transparent matrix, semi-transparent matrix, prism based, holographic , electroluminescence, eletroreflective, dynamic filtering, refractive materials (LCD, para. 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the LCD of Lewis in the device of Weinblatt. The motivation would have been to allow the device to be used with, for instance, modern computer monitors.

Regarding claim 179, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching of a camera component, communication components to provide an augmented reality. Lewis teaches a camera component, communication components to provide an augmented reality (camera; cell phone, para. 36, 37; [reality is interpreted as augmented with use of computer-aided eyeglass system]). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the camera, communication components of Lewis in the device of Weinblatt. The motivation would have been to allow the use of the device for, for instance, gaming or movie or multimedia uses.

Regarding claim 180, Weinblatt teaches the wearable optics device of claim 179, the camera component, as disclosed above, wherein the parameters include a zoom feature (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37); but lacks the explicit teaching of aiding the user in the performance in an athletic event. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made aid the user in the performance in an athletic event, since it was known in the art that modern athletic events comprised a technological component, and especially because of the size of athletic events. The motivation would have been to allow a user to engage in a more detailed athletic experience, such as by providing biological feedback or scoring information.

Regarding claim 191, Weinblatt teaches the wearable optics device of claim 190, the sensors, as disclosed above, but lacks the teaching wherein the devices are coupled wirelessly. Lewis teaches the devices are coupled wirelessly (Bluetooth model, para. 27, 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the wireless coupling of Lewis in the device of Weinblatt. The motivation would have been to allow a simple, efficient, compact means of coupling devices.

Regarding claim 193, Weinblatt teaches the wearable optics device of claim 190, the sensors, as disclosed above, but lacks the teaching wherein the devices are coupled via a Bluetooth wireless connection. Lewis teaches the devices are coupled via a Bluetooth wireless connection (Bluetooth model, para. 27, 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the Bluetooth of Lewis in the device of Weinblatt. The motivation would have been to use a simple, efficient means of coupling devices.

Regarding claim 195, Weinblatt teaches the wearable optics device of claim 194, as disclosed above, but lacks the teaching wherein the sensor comprises an earpiece connected either by a wire, to a frame, or connected wirelessly. Lewis teaches the sensor comprises an earpiece connected either by a wire, to a frame, or connected wirelessly (conventionality for hearing and talking would be located in ear and nose pad portion of glasses, para. 38). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the earplece of Lewis in the device of Weinblatt. The motivation would have been to allow a simple, efficient means of coupling; while simultaneously allowing integration with, for instance, modern cell phones.

Regarding claims 196, 197, Weinblatt teaches the wearable optics device of claim 195, of claim 196, respectively, as disclosed above, but lacks the teaching wherein the earpiece measures the ear muscles ([claim 196]); wherein the ear muscle measurement is utilized to adjust acoustic volume or acoustic focus ([claim 197]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to measure the ear muscles; wherein the ear muscle measurement is utilized to adjust acoustic volume or acoustic focus, since it was known in the art that measurements were used as feedback in control mechanism. The motivation would have been to allow a volume to be adjusted to a known user comfort level, thereby preventing damage or enhancing experience.

Regarding claim 198, Weinblatt teaches the wearable optics device of claim 194, as disclosed above, but lacks the teaching wherein the sensor comprises a microphone either connected by a wire, connected to frame, or connected wirelessly. Lewis teaches the sensor comprises a microphone connected either by a wire, to a frame, or connected wirelessly (conventionality for hearing and talking would be located in ear and nose pad portion of glasses, para. 38). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the microphone of Lewis in the device of Weinblatt. The motivation would have been to allow a simple, efficient means of coupling; while simultaneously allowing integration with, for instance, modern cell phones.

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Regarding claim 199, Weinblatt teaches the wearable optics device of claim 198, as disclosed above, but lacks the teaching wherein the microphone is used in combination with any or any combination of a camera, infrared camera, imaging sensors. Lewis teaches the sensor comprises the microphone (microphone 104, para. 36) is used in combination with any or any combination of a camera, infrared camera, imaging sensors (camera, para. 36). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the microphone, camera of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claim 200, Weinblatt teaches the wearable optics device of claim 194, as disclosed above, but lacks the teaching wherein the sensor comprises an earpiece containing a speaker that includes a microphone for noise cancellation. Lewis the sensor comprises an earpiece containing a speaker that includes a microphone for noise cancellation (noise cancelling circuitry 502, para. 36). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the noise cancelling of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claim 201, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein one or more distributed networks are utilized by the wearable optics device. Lewis one or more distributed networks are utilized by the wearable optics device (present invention functions within a client/server model, para. 27, 30, 31). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the distributed networks of Lewis in the device of Weinblatt. The motivation would have been to allow a simple, efficient means of coupling; while simultaneously allowing integration with, for instance, modern cell phones.

Regarding claim 384, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized to identify who is actually speaking. Lewis teaches the wearable optics device is utilized to identify who is actually speaking (speaker recognition circuitry 508, para. 36, 38). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the circuitry of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claim 385, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the wearable optics device includes conference calling features. Lewis teaches the wearable optics device includes conference calling features (cellular phone circuitry 402, para. 36). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the conference calling features of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claim 386, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized for messaging. Lewis teaches the wearable optics device is utilized for messaging (messaging, para. 40). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the messaging of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claim 387, Weinblatt teaches the wearable optics device of claim 386, as disclosed above, but lacks the teaching wherein the messaging includes messaging based on line of sight or based upon facial and voice recognition. Lewis teaches the messaging includes messaging based on line of sight or based upon facial and voice recognition (speaker recognition algorithm 508, para. 36, 38; text to speech audio email conversions, screen viewed emails, para. 40). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the messaging of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

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Regarding claim 388, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the wearable optics are utilized in conjunction with social networks or external databases to identify characteristics of those or that which is viewed by the user. Lewis teaches the wearable optics are utilized in conjunction with social networks or external databases (present invention functions within a client/server model, such as display of special reports from the Internet, para. 27) to identify characteristics of those or that which is viewed by the user (music downloadable using voice recognition system, para. 29; connect to client-server network for authorized downloading and billing for selected music, para. 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the database of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claim 392, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized for the purchase of songs music or games, movies and video games. Lewis teaches the wearable optics device is utilized for the purchase of songs music or games, movies and video games (music downloadable using voice recognition system, para. 29; connect to client-server network for authorized downloading and billing for selected music, para. 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the music purchases of Lewis in the device of Weinblatt. The motivation would have been to allow integration with, for instance, modern cell phones.

Regarding claims 393, 395, Weinblatt teaches the wearable optics device of claim 392, respectively, as disclosed above, but lacks the teaching wherein the games comprise word games ([claim 393]); wherein the games comprise games based upon physics ([claim 395]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use games which comprise word games; wherein the games comprise games based upon physics, since it was known in the art that the gaming market has been known to use technology, such as is the case with computer gaming. The motivation would have been to allow the device to be used in the gaming market and, thereby, increase the market share; while simultaneously allowing a more complete integration with modern cell phones, which are known to have gaming software installed.

Claims 110, 111, 114, 115, 160, 162, 163, 165-170, 172-174, 177, 178, 181, 182, 190, 192, 194, 375-383, 389-391 lack an inventive step under PCT Article 33(3) as being obvious over Weinblatt.

Regarding claims 110, 111, Weinblatt teaches the method of claim 109, respectively, as disclosed above, but lacks the teaching wherein the plurality of lenses comprises controlled refractive lenses ([claim 110]); wherein the plurality of lenses comprising polychromatic material ([claim 111]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use controlled refractive lenses; polychromatic material for the plurality of lenses, since selection of a known material on the basis of its suitability for an intended use involves only routine skill in the art. The motivation would have been to take advantage of the optical properties of the materials.

Regarding claim 114, Weinblatt teaches the method of claim 109, as disclosed above, but lacks the teaching wherein the plurality of lenses comprise a single integrated system. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a single integrated system for the plurality of lenses, since the use of a one piece construction instead of the structure disclosed in the prior art would have required only routine skill in the art. The motivation would have been to allow a simple, efficient design.

Regarding claim 115, Weinblatt teaches the method of claim 109, as disclosed above, but lacks the teaching wherein shading control is utilized on the plurality of lenses. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize shading control on the plurality of lenses, since it was known in the art that the shading of lenses could be controlled. The motivation would have been to allow a user to control a desired amount of shading to the eyeglass lenses, thereby providing a desired amount of protection from light in the event of medical necessity or simple user comfort.

Regarding claim 160, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching where in the focal point of the user of the wearable optics device is utilized in conjunction with the dynamic eye tracking. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize at least the focal point of the user in conjunction with the dynamic eye tracking, since it was known in the art that eye tracking, which monitors position of an eye, was also used in tandem with focal point tracking, which monitors the depth of the user's vision. The motivation would have been to allow the device to operate in 3D space, instead of just 2D.

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Regarding claims 162, 163, Weinblatt teaches the wearable optics device of claim 131, of claim 162, respectively, as disclosed above, and further teaches view can be any or any combination of a left or right panning, up and down panning ,three dimensional rotation (right and left, up and down eye movement, col. 3, lines 12-41); but lacks the teaching wherein a 360 degree view is provided ([claim 162]); wherein the 360 degree view can be any or any combination of a left or right panning, up and down panning, three dimensional rotation ([claim 163]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a 360 degree view, since a change in shape of an element involves only routine skill in the art. The motivation would have been to allow the device to be used in a wider viewing range and, therefore, provide more information to a user.

Regarding claims 165, 166, Weinblatt teaches the wearable optics device of claim 131, of claim 165, respectively, as disclosed above, but lacks the teaching wherein filtering for certain light waves for controlled viewing or visual effects ([claim 165]); wherein the filtering comprises controlling the illumination noise reduction, polarization, and creative effects ([claim 166]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow filtering for certain light waves for controlled viewing or visual effects; wherein the filtering comprises controlling illumination noise reduction, polarization, and creative effects, since it was known in the art that light could be manipulated, such as by filtering certain light waves by illumination noise reduction, polarization, and creative effects, for viewing or visual effects. The motivation would have been to allow a user to control a desired amount of shading to the eyeglass lenses, thereby providing a desired amount of protection from light in the event of entertainment purposes or simple user comfort.

Regarding claims 167, 168, 169, 170, Weinblatt teaches the wearable optics device of claim 131, respectively, as disclosed above, but lacks the teaching of a stability control for facial or object focus ([claim 167]); wherein an acoustic wave mechanism is utilized within the wearable optics device ([claim 168]); wherein a brain wave mechanism is utilized within the wearable optics device ([claim 169]); wherein a magnetic wave mechanism is utilized within the wearable optics device ([claim 170]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stability control for facial or object focus; to utilize an acoustic wave mechanism within the device; wherein a brain wave mechanism is utilized; wherein a magnetic wave mechanism is utilized, since it was known in the art that sensors and control mechanisms were known in the art. The motivation would have been to allow more accurate eye tracking; while simultaneously allowing the tracking to be used in conjunction with other sensor systems, thereby increasing accuracy.

Regarding claims 172, 177, 178 Weinblatt teaches the wearable optics device of claim 131, respectively, as disclosed above, but lacks the teaching wherein the parameters are athletic information related to the user ([claim 172]); wherein the wearable optics device is utilized in conjunction with an athletic event by a participant ([claim 177]); wherein the wearable optics device is utilized in conjunction with an athletic event by a spectator ([claim 178]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use athletic information related to the user; to use the device in conjunction with an athletic event by a participate; to use the device in conjunction with an athletic event by a spectator, since it was known in the art that modern athletic events comprised a technological component, and especially because of the size of athletic events. The motivation would have been to allow a user to engage in a more detailed athletic experience, such as by providing biological feedback or scoring information.

Regarding claim 173, Weinblatt teaches the wearable optics device of claim 172, as disclosed above, wherein optical parameters are utilized (zoom lens 95 is used in calibrating the range of eye motion of each individual subject to correspond to the scene size provided by scene monitor 80 and adjusted by zoom lens 96, col. 7, lines 14-37).

Regarding claim 174, Weinblatt teaches the wearable optics device of claim 173, as disclosed above, wherein the optical parameters include any or any combination of ciliary, pupil, corneal, retina, lens, iris measurements (the invention applies the corneal reflection method to monitor eye movement, col. 3, lines 12-42).

Regarding claims 181, 182, Weinblatt teaches the wearable optics device of claim 131, respectively, as disclosed above, but lacks the teaching wherein the parameters are medical features related to the user ([claim 181]); wherein the parameters are dental features of a patient ([claim 182]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the parameters be medical features related to the user; dental features of a patient, since it was known in the art that modern medical professionals incorporated more technology for the user experience. The motivation would have been to allow a user to receive information faster, more direct, and thereby have fewer diagnostic, interpretation, or other errors associated with treatment.

Regarding claim 190, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, wherein sensors are utilized to provide sensory inputs to the device (the invention applies the corneal reflection method to monitor eye movement, col. 3, lines 12-42).

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Regarding claim 192, Weinblatt teaches the wearable optics device of claim 190, as disclosed above, but lacks the teaching wherein the sensors are coupled via a USB wireless connection. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use USB wireless connections to couple the sensors, since it was known in the art that USB was a common computer coupling mechanism. The motivation would have been to allow a commonly used, fast transfer protocol for information transfer.

Regarding claim 194, Weinblatt teaches the wearable optics device of claim 190, as disclosed above, wherein the sensors comprise any or any combination of gyroscopes, accelerometers, pressure sensors, torque sensors, weight sensors, magnetometers, temperature sensors, light sensor, cameras and microphones, GPS, wireless detection, altitude sensors, blood pressure , heart rate sensors, biometric sensors, radio frequency identification (RFID), near field communication (NFC), mobile communication, Wi-Fi, strain gauges, fingerprint sensors, smell sensors gas sensors, chemical sensors, color sensors, sound sensors, acoustic sensors, ultraviolet sensors, electric field sensors, magnetic field sensors, gravity sensors, wind speed sensors, wind direction sensors, compass sensors, geo-locator sensor, polarized light sensors, infrared emitter sensors (the invention applies the corneal reflection method to monitor eye movement, col. 3, lines 12-42).

Regarding claims 375, 376, Weinblatt teaches the wearable optics device of claim 131, respectively, as disclosed above, but lacks the teaching wherein the wearable optics device creates vibrations around glasses ([claim 375]); wherein the wearable optics device creates a vibration area around a frame worn by the user's face ([claim 376]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use create vibrations around glasses; to create a vibration area around a frame worn by the user's face, since it was known in the art that vibrations were creatable, especially for the purpose of enhancing audio-visual entertainment experiences. The motivation would have been to give the user a sense of presence in an audio-visual experience, such as a movie or an audio device.

Regarding claim 377, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized with any of a visor, helmet, facemask, safety goggles. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the wearable optics device with any of a visor, helmet, facemask, safety goggles, since a change in shape of an element involves only routine skill in the art. The motivation would have been to allow the optics device to be used in multiple fields, such as medical fields, by motorcyclists, or by scientists.

Regarding claims 378,379, Weinblatt teaches the wearable optics device of claim 131, of claim 378, respectively, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized for glare management ([claim 378]); wherein the wearable optics device utilizes dimming reduction in brightness which can be utilized to improve any combination headlights, sun, spotlights or explosions ([claim 379]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the device for glare management; to utilize dimming reduction in brightness which can be utilized to improve any combination of headlights, sun, spotlights, or explosions, since it was known in the art that the shading of lenses could be controlled. The motivation would have been to allow a user to control a desired amount of shading to the eyeglass lenses, thereby providing a desired amount of protection from light in the event of medical necessity or simple user comfort.

Regarding claim 380, Weinblatt teaches the wearable optics device of claim 131, as disclosed above, but lacks the teaching wherein at least one fingerprint utilized to enable the wearable optics device. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize at least one fingerprint to enable the wearable optics device, since it was known in the art that fingerprints, due to their unique configurations, were used for security purposes. The motivation would have been to allow the device to be uniquely customized to a user, with security information specific to the user, and thereby allow the device to be used in high-security areas or fields.

Regarding claims 381, 382, Weinblatt teaches the wearable optics device of claim 131, of claim 381, respectively, wherein the device is controlled by eye movement, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized with multiple windows surrounding the user ([claim 381]); wherein the device is multiple windows ([claim 382]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the wearable optics device with multiple windows surrounding the user; to use multiple windows, since a mere duplication of essential working parts of a device involves only routine skill in the art. The motivation would have been to allow the device to be used for multimedia in a convenient, simple means; while simultaneously allowing integration with existing structures and elements.

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Regarding claim 383, Weinblatt teaches the wearable optics device of claim 382, as disclosed above, but lacks the teaching wherein owl vision is utilized to provide a 360 view. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize owl vision to provide a 360 degree view, since a change in shape of an element involves only routine skill in the art. The motivation would have been to allow the device to be used in a wider viewing range and, therefore, provide more information to a user.

Regarding claims 389, 390, 391, Weinblatt teaches the wearable optics device of claim 131, of claim 389, of claim 389, respectively, as disclosed above, but lacks the teaching wherein the wearable optics device is utilized in conjunction with movies ([claim 389]); wherein the movies include any of online mobile movies or physical movies ([claim 390]); wherein the movies include any of a 3D or IMAX movie ([claim 391]). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the device in conjunction with movies; wherein the movies include any of online mobile movies or physical movies; wherein the movies include any of a 3D or IMAX movie, since it was known in the art that glasses were often used in movies, such as 3D movie theaters. The motivation would have been to allow a more rich user experience, especially in theaters, where patrons desire the integration of technology to enhance their viewing experience.

Claims 1, 100-115, 131, 154-182, 190-201, 375-393, 395 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

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First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Sherry Long
Attorney Docket Number:	3448C-3

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Independent Claims in Excess of 3	2201	3	210	630
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
		Total in USD ($)		**1930**

Electronic Acknowledgement Receipt

EFS ID:	20553434
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sherry Long
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	29-OCT-2014
Filing Date:	11-JAN-2013
Time Stamp:	17:32:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$1930
RAM confirmation Number	4311
Deposit Account	022120
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Request for Continued Examination (RCE)	3448C-3_RCE.pdf	697468 f67179070f29d6e7ea69251c53f9e44994e92908	no	3
Warnings:					
Information:					
2		3448C-3_Amendment.pdf	38412 6cb065e9556a9a3a00ff6bdd0d6920007700ba5c	yes	10

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment Submitted/Entered with Filing of CPA/RCE	1	1
	Claims	2	7
	Applicant Arguments/Remarks Made in an Amendment	8	10

Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	611931 6c256975f894e354a8d0e57a2dfdb8cd8fa5bbff	no	4
Warnings:					
Information:					

A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.

4	Other Reference-Patent/App/Search documents	5028PCT_ISR.pdf	959186 4d6e01d6c9f3283817c57d24dab38d336f3ac162	no	15
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	33598 a98cbf3d0a4d645a5c63fc346f69fb7df68d4d6e	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	2340595		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/AIA/26 (04-13)
Approved for use through 04/30/2013. 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 OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 3448C-3

In re Application of: Scott W. LEWIS

Application No.: 13/739,929

Filed: 1/11/2013

For: DIGITAL EYEWEAR

The applicant, Percept Technologies Inc., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,353,594 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for any during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☑ The undersigned is an attorney or agent of record. Reg. No. 30801

/Joseph A. Sawyer, Jr./ — Signature
October 29, 2014 — Date

Joseph A. Sawyer, Jr. — Typed or printed name

Managing Partner — Title
(650) 493-4540 — Telephone Number

☑ 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.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/AIA/26 (04-13)
Approved for use through 04/30/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 3448C-3

In re Application of: Scott W. LEWIS

Application No.: 13/739,929

Filed: 1/11/2013

For: DIGITAL EYEWEAR

The applicant, Percept Technologies Inc., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 7,758,185 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for any during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

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2. ☑ The undersigned is an attorney or agent of record. Reg. No. 30801

/Joseph A. Sawyer, Jr./ — Signature
October 29, 2014 — Date

Joseph A. Sawyer, Jr. — Typed or printed name

Managing Partner — Title
(650) 493-4540 — Telephone Number

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

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	20555276
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sherry Long
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	29-OCT-2014
Filing Date:	11-JAN-2013
Time Stamp:	19:47:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	3448C-3_RequestUnder146c.pdf	16635 2cdf524bb4d73b5d5247fb57ee6a5a3e593103a0	no	2

Warnings:	
Information:	

2	Application Data Sheet	3448C3_ADS-corrected-EFS.pdf	68642 d0bb44c2ae77ee4a9dd12a1935c63ab8180413f7	no	6
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
3	Power of Attorney	3448C3_POA.pdf	915372 bdee83628477db43eef98ac5ec9cd3843918d5ee	no	2
Warnings:					
Information:					
4	Assignee showing of ownership per 37 CFR 3.73.	3448C-3_373cStmt.pdf	118148 175f56f734622bfb6d720b264bfa5d6d5ca505c5	no	3
Warnings:					
Information:					
5	Terminal Disclaimer Filed	3448C-3_TerminalDisclaimer1.pdf	152969 0383796667befc1985fe03ead4ab034b50533e55	no	2
Warnings:					
Information:					
6	Terminal Disclaimer Filed	3448C-3_TerminalDisclaimer2.pdf	152217 378ced57022012684b79cf3325f18948a4972637	no	2
Warnings:					
Information:					
7	Terminal Disclaimer Filed	3448C-3_TerminalDisclaimer3.pdf	152155 c5a3256f7c60b9e585bfd9f6a3b083dd6955678d	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1576138		

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
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New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Scott W. LEWIS	Confirmation No. 8057
Serial No. 13/739,929	Group Art Unit: 2872
Filed: 1/11/2013	Examiner: Collins, Darryl J
For: DIGITAL EYEWEAR	

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CHANGE APPLICANT UNDER 37 C.F.R. 1.46(C) AND TERMINAL DISCLAIMERS

Sir:

This request is submitted herein to change the Applicant from Scott W. Lewis to Percept Technologies Inc. (assignee of record). Three terminal disclaimers (previously submitted on 3/14/2014) are being resubmitted with this request.

In accordance with the 37 C.F.R. 1.46(c) and the Terminal Disclaimer Review Decision dated 3/28/2014, this request is accompanied by: 1) a corrected Application Data Sheet (ADS) that identifies the new Applicant (underlined) in the applicant information section; 2) a statement under 3.73(c) showing chain of title to the new Applicant; 3) a new POA that gives power to the attorney who is signing the terminal disclaimers; and 4) copies of the three terminal disclaimers (submitted with fees on 3/14/2014). As stated in the Terminal Disclaimer Review Decision, no fee is required.

Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
Sawyer Law Group, P.C.

October 29, 2014

/Joseph A. Sawyer, Jr./
Joseph A. Sawyer, Jr.
Reg. No. 30,801
Attorney for Applicant(s)

Customer Number 29141
Telephone: (650) 493-4540
Fax: (650) 493-4549

PTO/AIA/14 (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
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 contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	13/739,929
Title of Invention	DIGITAL EYEWEAR	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Scott	W.	Lewis	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Los Gatos	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	15559 Union Avenue, #400		
Address 2			
City	Los Gatos	State/Province	CA
Postal Code	95032	Country	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	29141		
Email Address	patent@sawyerlawgroup.com	Add Email	Remove Email

Application Information:

Title of the Invention	DIGITAL EYEWEAR		
Attorney Docket Number	3448C-3	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	6	Suggested Figure for Publication (if any)	

PTO/AIA/14 (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	13/739,929
Title of Invention	DIGITAL EYEWEAR	

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐	**Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	29141		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	13078589	2011-04-01

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
13078589	Continuation of	12621423	2009-11-18	7918556	2011-04-05

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
12621423	Continuation of	12029068	2008-02-11	7758185	2010-07-20

Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12029068	Division of	11245756	2005-10-07

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

PTO/AIA/14 (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	13/739,929
Title of Invention	DIGITAL EYEWEAR	

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

Remove

Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Priority Claimed
			○ Yes ◉ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	13/739,929
Title of Invention	DIGITAL EYEWEAR	

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

◉ Assignee	○ Legal Representative under 35 U.S.C. 117
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :

If the Assignee is an Organization check here. ☒

Organization Name	Percept Technologies Inc.		
Mailing Address Information:			
Address 1	10080 West Alta Drive, Suite 200		
Address 2			
City	Las Vegas	**State/Province**	NV
Country	US	Postal Code	89145
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications

Signature	/Joseph A. Sawyer Jr./			Date (YYYY-MM-DD)	2014-10-29
First Name	Joseph A.	Last Name	Sawyer Jr.	Registration Number	30801

Additional Signature may be generated within this form by selecting the Add button.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	13/739,929
Title of Invention	DIGITAL EYEWEAR	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/AIA/26 (04-13)
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 3448C-3

In re Application of: Scott W. LEWIS

Application No.: 13/739,929

Filed: 1/11/2013

For: DIGITAL EYEWEAR

The applicant, Percept Technologies Inc., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 7,918,556 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for any during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☑ The undersigned is an attorney or agent of record. Reg. No. 30801

/Joseph A. Sawyer, Jr./ — Signature
October 29, 2014 — Date

Joseph A. Sawyer, Jr. — Typed or printed name

Managing Partner — Title
(650) 493-4540 — Telephone Number

☑ 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.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B or equivalent) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5. If the Power of Attorney by Applicant form is not accompanied by this transmittal form or an equivalent, the Power of Attorney will not be recognized in the application.

Application Number	13/739,929
Filing Date	1/11/2013
First Named Inventor	Scott W. LEWIS
Title	DIGITAL EYEWEAR
Art Unit	2872
Examiner Name	COLLINS, DARRYL J
Attorney Docket Number	3448C-3

SIGNATURE of Applicant or Patent Practitioner

Signature	/Joseph A. Sawyer, Jr./	Date	10/29/2014
Name	Joseph A. Sawyer, Jr.	Telephone	(650) 493-4540
Registration Number	30801		

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in the attached transmittal letter.

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

29141

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

Name	Registration Number	Name	Registration Number

Please recognize or change the correspondence address for the application identified in the attached transmittal letter to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant:

☐ Inventor or Joint Inventor

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor

☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (*e.g.*, a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature		Date	3-14-2013
Name	Scott Lewis	Telephone	650 475-1435
Title and Company	CEO Percept Technologies Inc.		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms for more than one signature, see below *.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: Scott W. Lewis

Application No./Patent No.: 13/739,929 Filed/Issue Date: 1/11/2013

Titled: DIGITAL EYEWEAR

Percept Technologies Inc., a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

A. ☑ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 030546, Frame 0128, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

   1. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

   2. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

This collection of information is required by37 CFR3.73(b). The information is required toobtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentialityis governed by35 U.S.C. 122and 37 CFR1.11 and1.14. Thiscollection is estimated to take 12 minutes to complete, including gathering, preparing, and submittingthe completed application form to the USPTO.Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent tothe Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**

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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☑ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Joseph A. Sawyer, Jr./	10/29/2014
Signature	Date
Joseph A. Sawyer, Jr.	30801
Printed or Typed Name	Title or Registration Number

Privacy Act Statement

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the informationin order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, arecord may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from thissystem of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/739,929	Filing Date 01/11/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	03/14/2014	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 23	Minus	** 20	= 3	X $40 =	120
	Independent (37 CFR 1.16(h))	* 9	Minus	***3	= 6	X $210 =	1260
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**1380**

AMENDMENT	10/29/2014	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 22	Minus	** 23	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 12	Minus	*** 9	= 3	X $210 =	630
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**630**

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/TINA M. BELL/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

29141 7590 04/29/2014

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER	
COLLINS, DARRYL J	
ART UNIT	PAPER NUMBER
2872	

NOTIFICATION DATE	DELIVERY MODE
04/29/2014	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com

Office Action Summary	Application No. 13/739,929	Applicant(s) LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	Art Unit 2872	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2014*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-23* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-23* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☒ The drawing(s) filed on *11 January 2013* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

Terminal Disclaimer

The terminal disclaimer does not comply with 37 CFR 1.321 because:

This application was filed on or after September 16, 2012. The party identified in the terminal disclaimer is not the applicant of record. A request to change the applicant under 37 CFR 1.46(c) must be filed and must include an application data sheet specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. To be reconsidered, the terminal disclaimer must be filed with the request under 37 CFR 1.46(c).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 12 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Hidaji (U.S. Patent Number 6,099,124).

With regard to independent claim 1, Hidaji teaches eyewear (Figures 1 and 2) comprising, a frame member (Figure 5A), a lens (Figure 14, element 536), circuitry within the

frame member (Figure 1) for enhancing the use of the eyewear (column 1, lines 59-62), and an eye sensor coupled to the frame member (Figure 1, element 70), the eye sensor activating the circuitry responsive to eye motion of a user (column 8, lines 24-37).

With regard to independent claim 12, Hidaji teaches eyewear (Figures 1 and 2) comprising, a frame member (Figure 5A), a lens (Figure 14, element 536), a digital camera, circuitry within the frame member (Figure 1) and coupled to the camera for enhancing the use of the eyewear (column 1, lines 59-62 and Figure 1, element 70 coupled to element 80), and an eye sensor coupled to the frame member (Figure 1, element 70), the eye sensor activating the circuitry responsive to eye motion of a user (column 8, lines 24-37).

Claims 13 and 15 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Blum et al (U.S. Patent Number 6,491,391).

With regard to independent clam 13, Blum et al teaches eyewear (Figure 5, element 500) comprising a frame member (Figure 5), a lens (Figure 5, elements 520 and 522), an circuitry within the fame member (Figure 5, elements 530, 540 and 550 and column 6, lines 16-22) for enhancing the use of the eyewear (column 7, lines 36-38), wherein the circuitry allows for a new eye prescription to be downloaded to the lens (column 6, line 50- column 7, line 2).

With regard to dependent claim 15, Blum et al teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 13, and further teaches such eyewear comprising an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user (column 14, lines 26-31).

Claim Rejections - 35 USC § 103

The following is a quotation of pre-AIA 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.

Claim 14 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Blum et al (U.S. Patent Number 6,491,391), as applied to claim 13 above, and further in view of Howell et al (U.S. Patent Publication 2006/0023158).

With regard to dependent claim 14, although Blum et al teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 13, Blum et al fails to teach such eyewear further comprising integrated media enhancements. In a related endeavor, Howell et al teaches eyewear (Figure 1) comprising a frame member (Figure 1, element 112), a lens (Figure 1) and circuitry within the frame member for enhancing the use of the eyewear (page 5, paragraph [0079]) wherein lens has a set of integrated media enhancements (page 5, paragraph [0077] and page 8, paragraph [0111]), such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as taught by Blum et al, with the integrated media enhancements, as taught by Howell et al, to further provide easy handling of electronic equipment (page 1, paragraph [0006]).

Claim 17 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Nishi (U.S. Patent Number 7,738,179).

With regard to claim 17, although Nishi teaches eyewear (column 1, lines 22-24 and Figure 17A) comprising a frame member (Figure 17A), a lens (column 2, lines 43-47 and Figure 17A), and at least one motion sensor coupled to the frame member, the at least one motion sensor activating the circuitry responsive to facial movements of a user (column 10, lines 29-39), Nishi fails to explicitly teach such eyewear further comprising circuitry within the fame member. However, given the electronic components for the display device (Figure 17A), it would have been obvious to one of ordinary skill in the art at the time the invention was made to supply electronic circuitry the control of the display device.

Claim 18 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526) in view of Nappi et al (U.S. Patent Number 5,751,260).

With regard to independent claim 18, although Mann teaches eyewear (Figure 1) comprising a frame member (Figure 1, element 100), a lens (Figure 1, element 150) and circuitry within the frame member for enhancing the use of the eyewear (column 12, lines 36-37), Mann fails to explicitly teach such eyewear further comprising circuitry including voice recognition. In a related endeavor, Nappi et al teaches eyewear (Figure 2) further comprising the use of a well-known voice or speech recognition system (column 4, lines 46-63) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as taught by Mann, with the voice recognition system, as taught by Nappi et al, to provide for user identification (column 4, line 64-column 5, line 6).

Claim 19 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526) in view of Nappi et al (U.S. Patent Number 5,751,260), as applied above to claim 18, and further in view of Howell et al (U.S. Patent Publication 2006/0023158).

With regard to dependent claim 19, although Mann in view of Nappi et al teach all of the claimed limitations of the instant invention as outlined above with respect to independent claim 18, both fail to explicitly teach such eyewear further comprising noise cancelation. In a related endeavor, Howell et al teaches eyewear (Figure 1) comprising a frame member (Figure 1, element 112), a lens (Figure 1) and circuitry within the frame member for enhancing the use of the eyewear (page 5, paragraph [0079]) and further including noise cancellation circuitry (page 9, paragraph [0125] and page 14, paragraph [0183]), such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as taught by Blum et al in view of Nappi et al, with the noise cancellation circuitry, as taught by Howell et al, to provide clear audio to the user.

Claim 21 and 22 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526) in view of Wallace (U.S. Patent Number 7,677,734).

With regard to independent claim 21, although Mann teaches eyewear (Figure 1) comprising a frame member (Figure 1, element 100), a lens (Figure 1, element 150) and circuitry within the frame member for enhancing the use of the eyewear (column 12, lines 36-37), Mann fails to explicitly teach such eyewear further integrated media enhancements including music services. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising

the use of a well-known media enhancement system including a music service (column 6, lines 49-65) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as taught by Mann, with the downloadable music service system, as taught by Wallace, to provide music or music related information to the wearer (column 7, lines 3-14).

With regard to dependent claim 22, Mann in view of Wallace teach all of the claimed limitations of the instant invention as outlined above with respect to independent claim 21, wherein Wallace further teaches the integrated media enhancement system including music services also includes downloading billing information (column 6, line 65-column 7, line 1).

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re*

Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1 and 23 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent Number 7,758,185. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Claims 1-10, 12, 16 and 23 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 7,918,556. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear.

Claims 1-10, 12 and 16 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 8,353,594.

Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear.

Claims 11 and 20 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent Number 7,758,185 in view of Wallace (U.S. Patent Number 7,677,734).

With regard to dependent claim 11, although both U.S. Patent Number 7,758,185and the instant application claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear, both fail to claim circuitry providing one of texts, email, multimedia information or caller ID. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising any of texts, email, multimedia information or caller ID (column 7, lines 5-12) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as claimed in the present invention, with circuitry providing any of texts, email, multimedia information or caller ID, as taught by Wallace, to provide multimedia information to the user.

With regard to independent claim 20, although both U.S. Patent Number 7,758,185and the instant application claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear, and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user, both fail to claim a lens having a set of integrated media enhancements including music services. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising the use of a

well-known media enhancement system including a music service (column 6, lines 49-65) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as claimed by U.S. Patent Number 7,758,185, with the downloadable music service system, as taught by Wallace, to provide music or music related information to the wearer (column 7, lines 3-14).

Claims 11 and 20 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent Number 7,918,556 in view of Wallace (U.S. Patent Number 7,677,734).

With regard to dependent claim 11, although both U.S. Patent Number 7,918,556 and the instant application claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear, both fail to claim circuitry providing one of texts, email, multimedia information or caller ID. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising any of texts, email, multimedia information or caller ID (column 7, lines 5-12) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as claimed in the present invention, with circuitry providing any of texts, email, multimedia information or caller ID, as taught by Wallace, to provide multimedia information to the user.

With regard to independent claim 20, although both U.S. Patent Number 7,918,556 and the instant application claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear, and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user, both fail to

claim a lens having a set of integrated media enhancements including music services. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising the use of a well-known media enhancement system including a music service (column 6, lines 49-65) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as claimed by U.S. Patent Number 7,918,556, with the downloadable music service system, as taught by Wallace, to provide music or music related information to the wearer (column 7, lines 3-14).

Claims 11 and 20 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent Number 8,353,594 in view of Wallace (U.S. Patent Number 7,677,734).

With regard to dependent claim 11, although both U.S. Patent Number 8,353,594 and the instant application claim eyewear comprising a frame member, a lens, and circuitry within the frame member for enhancing the use of the eyewear, both fail to claim circuitry providing one of texts, email, multimedia information or caller ID. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising any of texts, email, multimedia information or caller ID (column 7, lines 5-12) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as claimed in the present invention, with circuitry providing any of texts, email, multimedia information or caller ID, as taught by Wallace, to provide multimedia information to the user.

With regard to independent claim 20, although both U.S. Patent Number 8,353,594 and the instant application claim eyewear comprising a frame member, a lens, and circuitry within

the frame member for enhancing the use of the eyewear, and an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user, both fail to claim a lens having a set of integrated media enhancements including music services. In a related endeavor, Wallace teaches eyewear (Figures 1 and 2) further comprising the use of a well-known media enhancement system including a music service (column 6, lines 49-65) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as claimed by U.S. Patent Number 8,353,594, with the downloadable music service system, as taught by Wallace, to provide music or music related information to the wearer (column 7, lines 3-14).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARRYL J. COLLINS whose telephone number is (571)272-2325. The examiner can normally be reached on 6:30 - 5:00 Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Darryl J. Collins/
Primary Examiner
Art Unit 2872

22 April 2014

Notice of References Cited	Application/Control No. 13/739,929	Applicant(s)/Patent Under Reexamination LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	Art Unit 2872	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,099,124	08-2000	Hidaji, Faramarz	351/202
*	B	US-6,491,391	12-2002	Blum et al.	351/159.71
*	C	US-7,677,734	03-2010	Wallace, Arthur	353/18
*	D	US-7,738,179	06-2010	Nishi, Kenji	359/643
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	425	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	USPAT	OR	OFF	2013/06/24 15:33
S2	5	S1 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:34
S3	798	((head near3 up) same display).clm.	USPAT	OR	ON	2013/06/24 15:37
S4	6	S3 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:37
S5	7321	((351/158) or (285/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S6	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S7	338	S6 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:47
S8	4217	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:48
S10	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 08:27
S11	29	S10 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S12	338	S10 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/27 08:27

			DERWENT; IBM_TDB			
S13	3	S11 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S14	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S15	23	S14 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S16	26	S13 or S15	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S17	23	lens same ((eye near2 (track$3 or respons$4 or movement)) near6 cursor)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:52
S18	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:56
S19	247	S18 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 09:56
S20	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S21	338	S20 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S22	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S23	29	S22 and oculometer	US-PGPUB;	OR	ON	2013/06/27

			USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			09:57
S24	338	S22 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S25	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S26	214	S19 not (S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 09:57
S27	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:17
S28	268	S27 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 10:17
S29	2463	S27 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S30	16	S28 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S31	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:22
S32	91	S31 not (S19 or S21 or S23 or S24 or S25 or S28)	USPAT	OR	OFF	2013/06/27 10:29
S33	53	(("20120147043") or ("RE39539") or ("4659197") or ("6231183") or ("7500747") or ("4300818") or ("5671035") or ("6879443") or ("7484847") or ("7758185") or ("7918556") or ("20050001981") or ("20040097839") or ("20040212776") or ("20060023158") or ("20050248722") or ("20050097179") or ("20060093998") or ("20060132382") or ("20100045928") or ("20100145729") or ("20050248722") or ("20050097179") or ("20100079356") or ("20100110368")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 10:36
S34	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/06/27 14:36

			IBM_TDB			
S35	247	S34 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S36	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S37	338	S36 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S38	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S39	29	S38 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S40	338	S38 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S41	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S42	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S43	268	S42 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S44	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S45	536	S44 or S35 or S37 or S39 or S40 or S41 or S43	USPAT	OR	OFF	2013/06/27 14:36
S46	165	S45 and reality	USPAT	OR	OFF	2013/06/27 14:37

S47	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 15:43
S48	247	S47 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 15:43
S49	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S50	247	S49 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S51	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S52	338	S51 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S53	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S54	29	S53 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S55	338	S53 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S56	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S57	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11

S58	268	S57 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S59	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S60	536	S59 or S50 or S52 or S54 or S55 or S56 or S58	USPAT	OR	OFF	2013/06/27 16:11
S61	38	S60 and (lighten or darken)	USPAT	OR	OFF	2013/06/27 16:11
S62	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:05
S63	1	S62 and (eye near4 track$4)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:06
S64	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:08
S65	364	S64 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:08
S66	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:09
S67	30	S66 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S68	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S69	531	S68 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/10 15:10

			IBM_TDB			
S70	367	S65 or S67	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S71	843	S69 or S70	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S72	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S73	364	S72 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S74	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S75	30	S74 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S76	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S77	531	S76 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S78	367	S73 or S75	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S79	843	S77 or S78	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 14:50

			IBM_TDB			
S80	781	S79 and (phone or computer or laptop or display or portable)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S81	490	S80 and (contrast or shading or opacity)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:53
S82	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 15:19
S83	0	S82 and (inverse near2 shading)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S84	7	S82 and shading	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S85	675	S79 and (view$3 same (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S86	584	S79 and (view$3 near6 (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S87	125	S79 and ((contrast or shading or opacity) same (view$3 near6 (phone or computer or laptop or display or portable)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:27
S88	301	S79 and ((stack$3 or layer$3) same (pixel or lens))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 16:12
S89	113	S79 and (object near2 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 16:26

			IBM_TDB			
S90	4	"8353594"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:42
S91	2	("7918556").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:44
S92	4	(("7758185") or ("20070081123")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:47
S93	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:00
S94	4472	S93 and (circuit$3 or electronic)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:01
S95	1075	S93 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:02
S96	181	S95 and ((information near2 bar) or menu or icon)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:13
S97	2	("20060023158").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:27
S98	2	("20060093998").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 10:35
S99	727	S95 and reflect$3	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/11/05 10:43

			IBM_TDB			
S100	162	S95 and (reflect$3 near2 lens)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 10:43
S101	4407	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S102	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 13:54
S103	12530	S101 or S102	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S104	85	S103 and lewis.in.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S105	218409	S104 adn lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S106	28	S104 and lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S107	25	"6231183"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 14:21
S108	1207	S102 and (logo or decorative or symbol)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:22
S109	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/11/05 14:24

			IBM_TDB			
S110	1075	S109 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S111	243	S110 and S108	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S112	315	(D16/101).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:17
S113	72	(351/159.69).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:23
S114	2	S113 and logo	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:25
S115	37665	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 11:54
S116	8928	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 11:55
S117	45258	S115 or S116	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 11:55
S118	2867	S117 and (digital near2 camera)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 11:55
S119	353	S118 and (eye near2 (track$3 or respons$4 or movement or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 11:56
S120	2	("20100053549").PN.	US-PGPUB; USPAT; USOCR;	OR	OFF	2014/04/21 12:59

			EPO; JPO; DERWENT; IBM_TDB			
S121	37665	(eyewear or eyeglasses or spectacles or googles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 13:30
S122	8928	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 13:30
S123	45258	S121 or S122	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/21 13:30
S124	94	S123 and ((download$4 or updat$4) same prescription)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:30
S125	13300	S123 and (face or facial)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:53
S126	740	S123 and ((face or facial) near5 (movement or expression))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:53
S127	115	S123 and (respons$4 same ((face or facial) near5 (movement or expression)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 13:58
S128	7407	S123 and voice	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:13
S129	2440	S123 and (voice near4 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:13
S130	15236	S123 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:20
S131	1335	S121 and S122	US-PGPUB;	OR	ON	2014/04/21

			USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			14:21
S132	145	S131 and (music or web or apps)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:21
S133	682	S123 and ((subscribe or download) same music)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:24
S134	31452	(eyewear or eyeglasses or spectacles or goggles or (wearable near3 optic))	USPAT	OR	ON	2014/04/21 14:32
S135	34809	S122 or S134	USPAT	OR	ON	2014/04/21 14:32
S136	53	S135 and ((subscribe or download) same music)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/04/21 14:32
S137	71	(US-20050206583-$ or US-20090103044-$ or US-20100110368-$ or US-20110043644-$ or US-20110109528-$ or US-20110221659-$ or US-20110241976-$ or US-20120021806-$ or US-20120188148-$ or US-20130208482-$ or US-20130208234-$ or US-20130201080-$ or US-20130187943-$ or US-20130170031-$ or US-20130163089-$ or US-20130162673-$ or US-20130162505-$ or US-20130147838-$ or US-20130147687-$ or US-20130127980-$ or US-20130114043-$ or US-20120293773-$ or US-20120212414-$ or US-20120194553-$ or US-20120068913-$ or US-20060023158-$).did. or (US-20120081657-$ or US-20100066972-$ or US-20070081121-$ or US-20140028967-$ or US-20100289723-$).did. or (US-4848890-$ or US-4852988-$ or US-4884219-$ or US-5331149-$ or US-5412439-$ or US-5467104-$ or US-5583335-$ or US-5703637-$ or US-5742264-$ or US-5751260-$ or US-5757339-$ or US-5991085-$ or US-6198462-$ or US-6307526-$ or US-6373961-$ or US-6608615-$ or US-6636185-$ or US-6710927-$ or US-6847336-$ or US-6786610-$ or US-7190518-$ or US-8235529-$ or US-8135227-$ or US-6456438-$ or US-7651220-$ or US-7744214-$).did. or (US-5671035-$ or	US-PGPUB; USPAT; USOCR	OR	OFF	2014/04/22 07:50

		US-5583795-$ or US-5844530-$ or US-6222508-$ or US-8353594-$ or US-7918556-$ or US-7758185-$ or US-6231183-$ or US-7448751-$ or US-6099124-$ or US-6491391-$ or US-7738179-$ or US-7677734-$).did. or (US-1615067-$).did.				
S138	19	S137 and ((caller near2 ID) or (e adj mail))	US-PGPUB; USPAT; USOCR	OR	ON	2014/04/22 07:51
S139	34	S137 and media	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:21
S140	59	S137 and (eye near2 (track$4 or sensor))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:33
S141	22	S137 and noise	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/04/22 08:41

EAST Search History (Interference)

<This search history is empty>

4/22/2014 11:40:15 AM
C:\Users\dcollins2\Documents\EAST\Workspaces\13739929.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	Art Unit
	DARRYL J COLLINS	2872

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
351	158	11/5/2013	DJC
385	8	11/5/2013	DJC
359	13, 630-633	11/5/2013	DJC
345	7-9	11/5/2013	DJC
	UPDATED	4/22/2014	DJC

SEARCH NOTES		
Search Notes	Date	Examiner
BRS EAST Search (USOCR, USPGPUB, USPAT, EPO, JPO, Derwent, IBM_TDB) attached	11/5/2013	DJC
BRS EAST Search (updated and attached)	4/22/2014	DJC

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	Art Unit
	DARRYL J COLLINS	2872

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	11/05/2013	04/22/2014							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11		✓							
	12		✓							
	13		✓							
	14		✓							
	15		✓							
	16		✓							
	17		✓							
	18		✓							
	19		✓							
	20		✓							
	21		✓							
	22		✓							
	23		✓							

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination
	13/739,929	LEWIS, SCOTT W.

Document Code - DISQ	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☐ APPROVED	☒ DISAPPROVED
Date Filed : 3/14/14	**This patent is subject to a Terminal Disclaimer**	

Approved/Disapproved by:

3/Tds all disapproved.

The terminal disclaimer identifies a party who is not the applicant (only for applications filed on or after September 16, 2012; See FP 14.26.10):

For cases filed on/after 9/16/12, 37 CFR 1.321 specifies that the applicant can disclaim, and the terminal disclaimer must specify the extent of the applicant's ownership.

A request under 37 CFR 1.46(c) to change the applicant needs to be filed, which is (1) a request, signed by a 1.33(b) party, (2) a corrected ADS (37 CFR 1.76(c)) that identifies the "new" applicant in the applicant information, and is underlined since it is new, and (3) a 3.73(c) statement showing chain of title to the new applicant. Along with the § 1.46(c) request we need a POA that gives power to the attorney who is signing the TD, along with another copy of the TD, unless they file a TD that is signed by the applicant.

Also resubmit Td with these papers, NO Fee is required.

Lawana Hixon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Scott W. LEWIS	Confirmation No. 8057
Serial No. 13/739,929	Group Art Unit: 2872
Filed: 1/11/2013	Examiner: Collins, Darryl J
For: DIGITAL EYEWEAR	

MAIL STOP Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO OFFICE ACTION OF NOVEMBER 14, 2013

Sir:

In response to the Non-Final Office Action of November 14, 2013, Applicant submits the following amendments and remarks:

Amendments to the Claims begin on page 2 of this paper.
Remarks begin on page 6 of this paper.
There are 9 pages to this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions of the claims in the present application:

Listing of Claims:

1. (Currently Amended) Eyewear comprising:

a frame member;

a lens;

circuitry within the frame member for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

.

2. (Original) The eyewear of claim 1 wherein the circuitry provides an information bar across the lens for a user.

3. (Original) The eyewear of claim 1 wherein the lens is reflective.

4. (Original) The eyewear of claim 1 wherein the lens is partially reflective.

5. (Original) The eyewear of claim 1 wherein the circuitry provides any of a cell phone, media focals, and an MP3 player.

6. (Original) The eyewear of claim 1 wherein an information bar is provided on the lens.

7. (Original) The eyewear of claim 1 wherein the eyewear can be utilized in a client server system to allow for the display of certain information.

8. (Original) The eyewear of claim 1 wherein a logo is placed on a front surface of the lens.

9. (Currently Amended) The eyewear of claim 1 wherein the eyewear incorporates a camera to project a reciprocal display using a second lends.

10. (Original) The eyewear of claim 1 wherein the eyewear includes a pushbutton system for control.

11. (New) The eyewear of claim 1 wherein the circuitry can provide any of texts, email; multimedia information; caller id.

12. (New) Eyewear comprising:

a frame member;

a lens;

a digital camera;

circuitry within the frame member and coupled to the camera for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

13. (New) Eyewear comprising:

a frame member;

a lens; and;

circuitry within the frame member for enhancing the use of the eyewear; wherein the circuitry allows for a new eye prescription to be downloaded to the lens.

14. (New) The eyewear of claim 13, wherein the lens has a set of integrated media enhancements.

15. (New) The eyewear of claim 13 further comprises an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

16. (New) Eyewear comprising:

a frame member;

a lens; and;

circuitry within the frame member for enhancing the use of the eyewear utilizing a client server model; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

17. (New) Eyewear comprising:

a frame member;

a lens; and;

circuitry within the frame member for enhancing the use of the eyewear; and

at least one motion sensor coupled to the frame member, the at least one motion sensor activating the circuitry responsive to facial movements of a user.

18. (New) Eyewear comprising:

a frame member;

a lens; wherein the lens has a set of integrated media enhancements, and;

circuitry within the frame member for enhancing the use of the eyewear; wherein the circuitry includes voice recognition when a speaker is recognized.

19. (New) The eyewear of claim 18, wherein the circuitry includes noise cancellation being utilized with the recognized speaker.

20. (New) Eyewear comprising:

a frame member;

a lens; wherein the lens has a set of integrated media enhancements; wherein the integrated media enhancements include music services; circuitry within the frame member for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

21. (New) Eyewear comprising:

a frame member;

a lens; wherein the lens has a set of integrated media enhancements; wherein the integrated media enhancements include music services, wherein the music services include any of lyrics of the song, notes of the song, name of the song or other associated references; and

circuitry within the frame member for enhancing the use of the eyewear.

22. (New) the eyewear of claim 21, wherein downloading and billing for selected music is authorized and access to a plurality of libraries for music selections are provided.

23. (New) Eyewear comprising:

a frame member;

a lens;

a binocular mechanism;

circuitry within the frame member and coupled to the binocular mechanism for enhancing the use of the eyewear; and

an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user.

REMARKS

Claims 1-10 are pending in the present application. Claims 1-10 have been rejected. Claims 1 and 9 have been amended to clarify the recited invention. Claims 11-23 have been added as new. No new matter has been added. Accordingly, claims 1-23 are now pending in the present application.

Applicant respectfully submits that the pending claims are now in condition for allowance.

Claim Objections

The Examiner states,

Claim 9 is objected to because of the following informalities: In claim 9, line 2, after "using a second", "lends" should be "lens". Appropriate correction is required.

Applicant has amended claim 9 in accordance with the Examiner's suggestion.

Claim Rejections – 35 USC § 102

The Examiner states,

Claims 1, 2, 6, 7 and 9 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Mann (U.S. Patent Number 6,307,526).

Claims 1, 5 and 10 are rejected under pre-AIA 35 U.S.C. 102(e) as being anticipated by Howell et al (U.S. Patent Publication 2006/0023158).

Claim Rejections – 35 USC § 102

The Examiner states,

Claims 3 and 4 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526), as applied to claim 1 above, and further in view of Alvelda et al (U.S. Patent Number 6,222,508).

Claim 8 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526), as applied to claim 1 above, and further in view of Dillon (U.S. Patent Number 6,231,183).

Applicant respectfully traverses the above identified rejections. Applicant respectfully submits that none of the references either singly or in combination teach or suggest "an eye sensor coupled to the frame member, the eye sensor activating the circuitry responsive to eye motion of a user." in combination with the other elements of claim 1. Applicant respectfully submits that there is no teaching within any of the references of an eye sensor coupled to the frame for activating circuitry responsive to eye motion of a user. For these reasons Applicant respectfully requests reconsideration and allowance of claim 1 as now presented.

Claims 2-11 are dependent upon an allowable base claim. Therefore they are allowable based upon that dependency as well as being allowable on their own individual merit.

New Claims

Claims 12-23 have been added to further define the scope and novelty of the present invention. Independent claims 12, 13, 16-18, 20, 21, and 23 all have some limitations that are similar to that of claim 1. Claim 12 has similar limitations to claim 1 but also includes a digital camera. Claim 13 has limitations that include downloading new prescriptions to the eyewear. Claim 16 has similar limitations to claim 1 but also uses a client server model. Claim 17 has limitations that include at least one motion sensor activating the circuitry responsive to facial movements of a user.

Claim 18 has limitations that include the lens has a set of integrated media enhancements and. the circuitry includes voice recognition when a speaker is recognized. Claims 20 and 21 have limitations similar to claim 1 and also include the lens has a set of integrated media enhancements and. the integrated media enhancements include music services. Claim 23 has limitations similar to claim 1 and includes a binocular mechanism. Accordingly Applicant respectfully requests consideration and allowance of claims 12, 13, 16-18, 20, 21, and 23 as now presented.

Claims 14, 15, 19, and 22 are dependent upon allowable base claim. Therefore they are allowable based upon that dependency as well as being allowable on their own individual merit.

Double Patenting

The Examiner states,

Claims 1-10 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 7,918,556. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Claims 1-10 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 8,353,594. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Claim 1 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent Number 7,758,185. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Applicant submits herewith terminal disclaimers to overcome these rejections.

Conclusion

Accordingly, Applicant respectfully requests reconsideration and allowance of claims 1-23 as now presented. Applicant's attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
Sawyer Law Group, P.C.

March 14, 2014

/Joseph A. Sawyer, Jr./
Joseph A. Sawyer, Jr.
Reg. No. 30,801
Attorney for Applicant(s)

Customer Number 29141
Telephone: (650) 493-4540
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PTO/AIA/26 (04-13)
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 3448C-3

In re Application of: Scott W. LEWIS

Application No.: 13/739,929

Filed: 1/11/2013

For: DIGITAL EYEWEAR

The applicant, Percept Technologies Inc., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 7,918,556 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for any during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☑ The undersigned is an attorney or agent of record. Reg. No. 30801

/Joseph A. Sawyer, Jr./ — Signature
March 14, 2014 — Date

Joseph A. Sawyer, Jr. — Typed or printed name

Managing Partner — Title
(650) 493-4540 — Telephone Number

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

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 3448C-3

In re Application of: Scott W. LEWIS

Application No.: 13/739,929

Filed: 1/11/2013

For: DIGITAL EYEWEAR

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/Joseph A. Sawyer, Jr./ — Signature
March 14, 2014 — Date

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(650) 493-4540 — Telephone Number

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1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	13739929
Filing Date:	11-Jan-2013
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Sherry Long
Attorney Docket Number:	3448C-3

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	3	40	120
Independent Claims in Excess of 3	2201	6	210	1260
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Extension - 1 month with $0 paid	2251	1	100	100
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	3	160	480
		Total in USD ($)		**1960**

Electronic Acknowledgement Receipt

EFS ID:	18485146
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sherry Long
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	14-MAR-2014
Filing Date:	11-JAN-2013
Time Stamp:	19:47:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1960
RAM confirmation Number	8761
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1		3448C-3_Amendment.pdf	36507 44465599e350bb2c2801a3c2cce8181621f2bd53	yes	9
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	9	
Warnings:					
Information:					
2	Terminal Disclaimer Filed	3448C-3_TerminalDisclaimer1.pdf	147767 9fbd09979ce8504798c9fb2fe549e01704aff86f	no	2
Warnings:					
Information:					
3	Terminal Disclaimer Filed	3448C-3_TerminalDisclaimer2.pdf	147053 e79248ca7dfb96ec22c411f9c85e7c731d487a79	no	2
Warnings:					
Information:					
4	Terminal Disclaimer Filed	3448C-3_TerminalDisclaimer3.pdf	146992 afd27d646076a9589cc1e6038fd1c77198930c99	no	2
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	35011 3c93849af670fe159476e05cc51ba7b571d9721e	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	513330		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/AIA/26 (04-13)
Approved for use through 04/30/2013. OMB 0651-0031
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 3448C-3

In re Application of: Scott W. LEWIS

Application No.: 13/739,929

Filed: 1/11/2013

For: DIGITAL EYEWEAR

The applicant, Percept Technologies Inc., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,353,594 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for any during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☑ The undersigned is an attorney or agent of record. Reg. No. 30801

/Joseph A. Sawyer, Jr./ — Signature
March 14, 2014 — Date

Joseph A. Sawyer, Jr. — Typed or printed name

Managing Partner — Title
(650) 493-4540 — Telephone Number

☑ 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.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
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PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/739,929	Filing Date 01/11/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT **03/14/2014**

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 23	Minus	** 23	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 9	Minus	***9	= 0	X $210 =	0
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	0

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/HALLEY MASSEY/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	3448C-3

CONFIRMATION NO. 8057

29141
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

PUBLICATION NOTICE



Title:DIGITAL EYEWEAR

Publication No.US-2014-0028967-A1
Publication Date:01/30/2014

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

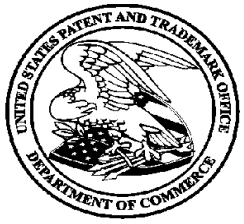
Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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Palo Alto, CA 94303



Courtesy Reminder for
Application Serial No: 13/739,929

Attorney Docket No: 3448C-3
Customer Number: 29141
Date of Electronic Notification: 11/14/2013

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:
patent@sawyerlawgroup.com

To view your correspondence online or update your email addresses, please visit us anytime at **https://sportal.uspto.gov/secure/myportal/privatepair.** If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/739,929	01/11/2013	Scott W. Lewis	3448C-3	8057

29141 7590 11/14/2013

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER	
COLLINS, DARRYL J	
ART UNIT	PAPER NUMBER
2872	

NOTIFICATION DATE	DELIVERY MODE
11/14/2013	ELECTRONICELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com

Office Action Summary	Application No. 13/739,929	Applicant(s) LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	Art Unit 2872	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) *1-10* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-10* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☒ The drawing(s) filed on *11 January 2013* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some * c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *03182013, 03262013, 08012013 & 10092013*.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on March 18, 2013, March 26, 2013, August 1, 2013 and October 9, 2013 have been considered by the examiner.

Claim Objections

Claim 9 is objected to because of the following informalities: In claim 9, line 2, after "using a second", "lends" should be "lens". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6, 7 and 9 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Mann (U.S. Patent Number 6,307,526).

With regard to independent claim 1, Mann teaches eyewear (Figure 1) comprising a frame member (Figure 1, element 100) a lens (Figure 1, element 150) and circuitry within the frame member for enhancing the use of the eyewear (column 12, lines 36-37).

With regard to dependent claim 2, Mann teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, and further teaches such eyewear wherein the circuitry provides an information bar across the lens for a user (column 14, lines 11-65).

With regard to dependent claim 6, Mann teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, and further teaches such eyewear wherein an information bar is provided on the lens(column 14, lines 11-65).

With regard to dependent claim 7, Mann teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, and further teaches such eyewear wherein the eyewear can be utilized in a client server system to allow for the display of certain information (column 12, lines 25-31).

With regard to dependent claim 9, Mann teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, and further teaches such eyewear wherein the eyewear incorporates a camera to project a reciprocal display using a second [lens] (Figure 1A, elements 110 and 130).

The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5 and 10 are rejected under pre-AIA 35 U.S.C. 102(e) as being anticipated by Howell et al (U.S. Patent Publication 2006/0023158).

With regard to independent claim 1, Howell et al teaches eyewear (Figure 1) comprising a frame member (Figure 1, element 112), a lens (Figure 1) and circuitry within the frame member for enhancing the use of the eyewear (page 5, paragraph [0079]).

With regard to dependent claim 5, Howell et al teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, and further teaches such eyewear wherein the circuitry provides any of a cell phone, media focals, and an MP3 player (page 5, paragraph [0077] and page 8, paragraph [0111]).

With regard to dependent claim 10, Howell et al teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, and further teaches such eyewear wherein the eyewear includes a pushbutton system for control (page 10, paragraph [0135]).

Claim Rejections - 35 USC § 103

The following is a quotation of pre-AIA 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.

Claims 3 and 4 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526), as applied to claim 1 above, and further in view of Alvelda et al (U.S. Patent Number 6,222,508).

With regard to dependent claims 3 and 4, Mann teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, Mann fails to explicitly teach such eyewear further comprising a reflective or partially reflective lens. In a related endeavor, Alvelda et al teaches eyewear (Figure 3A) comprising a frame member (Figure 3A, element 300), a lens (Figure 3A, elements 305 and 310) and circuitry (Figure 3A) wherein the lens is reflective or partially reflective (column 10, lines 39-40) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as taught by Mann, with the reflective or partially reflective lens, as taught by Alvelda et al, to provide a proper display for the user.

Claim 8 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mann (U.S. Patent Number 6,307,526), as applied to claim 1 above, and further in view of Dillon (U.S. Patent Number 6,231,183).

With regard to dependent claim 8, Mann teaches all of the claimed limitations of the instant invention as outlined above with respect to independent claim 1, Mann fails to explicitly teach such eyewear further comprising a logo placed on a front surface of the lens. In a related endeavor, Dillon teaches eyewear comprising a frame and a lens (Figure 1A and column 8, lines

44-45) wherein the lens further includes a logo (column 2, lines 32-36) such that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the eyewear, as taught by Mann, with the well-known technique of placing a logo on the surface of an eyeglass lens, as taught by Dillon, to provide eyewear having an aesthetic appearance and/or providing advertising.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned

with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-10 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 7,918,556. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Claims 1-10 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 8,353,594. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Claim 1 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent Number 7,758,185. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim eyewear comprising a frame member, a lens and, circuitry within the frame member for enhancing the use of the eyewear.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARRYL J. COLLINS whose telephone number is (571)272-2325. The examiner can normally be reached on 6:30 - 5:00 Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Darryl J. Collins/
Primary Examiner
Art Unit 2872

05 November 2013

Notice of References Cited	Application/Control No. 13/739,929	Applicant(s)/Patent Under Reexamination LEWIS, SCOTT W.	
	Examiner DARRYL J. COLLINS	Art Unit 2872	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,222,508	04-2001	Alvelda et al.	345/8
*	B	US-6,307,526	10-2001	Mann, W. Steve G.	345/8
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
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NON-PATENT DOCUMENTS

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Receipt date: 10/09/2013
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. Lewis
Art Unit	2872
Examiner Name	~~Not yet known~~ D. Collins
Attorney Docket Number	3448C-3

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	20110213664		2011-09-01	Osterhout et al.	
/DJC/	2	20120021806		2012-01-26	Maltz	
/DJC/	3	20120068913		2012-03-22	Bar-Zeev et al.	

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Receipt date: 10/09/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	~~Not yet known~~ D. Collins
	Attorney Docket Number	3448C-3

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
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[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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Receipt date: 10/09/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	~~Not yet known~~ D. Collins
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

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☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-10-09
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	Art Unit
	DARRYL J COLLINS	2872

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
351	158	11/5/2013	DJC
385	8	11/5/2013	DJC
359	13, 630-633	11/5/2013	DJC
345	7-9	11/5/2013	DJC

SEARCH NOTES		
Search Notes	Date	Examiner
BRS EAST Search (USOCR, USPGPUB, USPAT, EPO, JPO, Derwent, IBM_TDB) attached	11/5/2013	DJC

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CONFIRMATION NO. 8057

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/739,929	01/11/2013	351	2872	3448C-3

APPLICANTS

Scott W. Lewis, Los Gatos, CA;

**** CONTINUING DATA ***************************

This application is a CON of 13/078,589 04/01/2011 PAT 8353594 *
which is a CON of 12/621,423 11/18/2009 PAT 7918556
which is a CON of 12/029,068 02/11/2008 PAT 7758185
which is a DIV of 11/245,756 10/07/2005 ABN
(*)Data provided by applicant is not consistent with PTO records.

**** FOREIGN APPLICATIONS ***************************

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02/04/2013

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /DARRYL J COLLINS/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		CA	6	10	1

ADDRESS

Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303
UNITED STATES

TITLE

DIGITAL EYEWEAR

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598	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13739929	LEWIS, SCOTT W.
	Examiner	Art Unit
	DARRYL J COLLINS	2872

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	11/05/2013								
	1	✓								
	2	✓								
	3	✓								
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	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
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Receipt date: 08/01/2013
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
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Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	LEWIS, Scott W.
Art Unit	2872
Examiner Name	D. Collins
Attorney Docket Number	3448C-3

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	5583795		1996-12-10	Smyth	
/DJC/	2	5751260		1998-05-12	Nappi et al.	
/DJC/	3	7651220		2010-01-26	Pattikonda	

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Receipt date: 08/01/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	LEWIS, Scott W.
	Art Unit	2872
(Not for submission under 37 CFR 1.99)	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

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Examiner Signature	/Darryl J. Collins/	Date Considered	11/05/2013

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	First Named Inventor	LEWIS, Scott W.
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

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☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-08-01
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Receipt date: 08/01/2013

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Receipt date: 03/26/2013
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. LEWIS
Art Unit	2872
Examiner Name	D. Collins
Attorney Docket Number	3448C-3

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/DJC/	1	20120147043		2012-06-14	Asukai et al.	

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2]	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

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Receipt date: 03/26/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

	1		☐

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EXAMINER SIGNATURE

Examiner Signature	/Darryl J. Collins/	Date Considered	11/05/2013

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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Receipt date: 03/26/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-03-26
Name/Print	Joseph A. Sawyer, Jr.	Registration Number	30801

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L6	315	(D16/101).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:17
L7	72	(351/159.69).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:23
L8	2	7 and logo	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 15:25
S1	425	((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display).clm.	USPAT	OR	OFF	2013/06/24 15:33
S2	5	S1 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:34
S3	798	((head near3 up) same display).clm.	USPAT	OR	ON	2013/06/24 15:37
S4	6	S3 and (eye near5 track$3).clm.	USPAT	OR	OFF	2013/06/24 15:37
S5	7321	((351/158) or (285/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S6	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 06:46
S7	338	S6 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 06:47
S8	4217	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/27 06:48

			DERWENT; IBM_TDB			
S10	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 08:27
S11	29	S10 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S12	338	S10 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S13	3	S11 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:27
S14	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S15	23	S14 not S12	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S16	26	S13 or S15	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 08:28
S17	23	lens same ((eye near2 (track$3 or respons$4 or movement)) near6 cursor)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:52
S18	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:56
S19	247	S18 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 09:56
S20	7509	((351/158) or (385/8) or (359/13,630-	US-PGPUB;	OR	OFF	2013/06/27

		633) or (345/7-9)).CCLS.	USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			09:57
S21	338	S20 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S22	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 09:57
S23	29	S22 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S24	338	S22 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S25	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 09:57
S26	214	S19 not (S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 09:57
S27	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:17
S28	268	S27 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 10:17
S29	2463	S27 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S30	16	S28 not (S19 or S21 or S23 or S24 or S25)	USPAT	OR	OFF	2013/06/27 10:18
S31	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 10:22
S32	91	S31 not (S19 or S21 or S23 or S24 or S25 or S28)	USPAT	OR	OFF	2013/06/27 10:29
S33	53	(("20120147043") or ("RE39539") or	US-PGPUB;	OR	OFF	2013/06/27

		("4659197") or ("6231183") or ("7500747") or ("4300818") or ("5671035") or ("6879443") or ("7484847") or ("7758185") or ("7918556") or ("20050001981") or ("20040097839") or ("20040212776") or ("20060023158") or ("20050248722") or ("20050097179") or ("20060093998") or ("20060132382") or ("20100045928") or ("20100145729") or ("20050248722") or ("20050097179") or ("20100079356") or ("20100110368")).PN.	USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB			10:36
S34	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S35	247	S34 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S36	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S37	338	S36 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S38	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 14:36
S39	29	S38 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S40	338	S38 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S41	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S42	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2	US-PGPUB; USPAT;	OR	ON	2013/06/27 14:36

		track$3)	USOCR; EPO; JPO; DERWENT; IBM_TDB			
S43	268	S42 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 14:36
S44	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 14:36
S45	536	S44 or S35 or S37 or S39 or S40 or S41 or S43	USPAT	OR	OFF	2013/06/27 14:36
S46	165	S45 and reality	USPAT	OR	OFF	2013/06/27 14:37
S47	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 15:43
S48	247	S47 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 15:43
S49	6560	(opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S50	247	S49 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S51	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S52	338	S51 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S53	7509	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/06/27 16:11
S54	29	S53 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11

S55	338	S53 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S56	32	lens same oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S57	7228	(filter$3 or opacity or shade or shading or shield$3 or block$3) and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S58	268	S57 and ((eyewear or eyeglasses or spectacles or googles or (wearable near3 optic)) and display)	USPAT	OR	OFF	2013/06/27 16:11
S59	387	sunglass and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/06/27 16:11
S60	536	S59 or S50 or S52 or S54 or S55 or S56 or S58	USPAT	OR	OFF	2013/06/27 16:11
S61	38	S60 and (lighten or darken)	USPAT	OR	OFF	2013/06/27 16:11
S62	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:05
S63	1	S62 and (eye near4 track$4)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:06
S64	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/10 15:08
S65	364	S64 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:08
S66	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	OFF	2013/09/10 15:09

			IBM_TDB			
S67	30	S66 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S68	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:09
S69	531	S68 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S70	367	S65 or S67	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S71	843	S69 or S70	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 15:10
S72	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S73	364	S72 and (eye near2 track$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S74	8068	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 14:50
S75	30	S74 and oculometer	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S76	4334	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 14:50

Magic Leap, Inc. Exhibit 1002 Page 290

			IBM_TDB			
S77	531	S76 and (operating near3 system)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S78	367	S73 or S75	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S79	843	S77 or S78	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S80	781	S79 and (phone or computer or laptop or display or portable)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:50
S81	490	S80 and (contrast or shading or opacity)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 14:53
S82	1073	(385/8).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/11 15:19
S83	0	S82 and (inverse near2 shading)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S84	7	S82 and shading	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:19
S85	675	S79 and (view$3 same (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:25
S86	584	S79 and (view$3 near6 (phone or computer or laptop or display or portable))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/09/11 15:25

			IBM_TDB			
S87	125	S79 and ((contrast or shading or opacity) same (view$3 near6 (phone or computer or laptop or display or portable)))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 15:27
S88	301	S79 and ((stack$3 or layer$3) same (pixel or lens))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 16:12
S89	113	S79 and (object near2 recognition)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 16:26
S90	4	"8353594"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:42
S91	2	("7918556").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:44
S92	4	(("7758185") or ("20070081123")).PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/10/02 11:47
S93	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:00
S94	4472	S93 and (circuit$3 or electronic)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:01
S95	1075	S93 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 09:02
S96	181	S95 and ((information near2 bar) or menu or icon)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/11/05 09:13

			IBM_TDB			
S97	2	("20060023158").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 09:27
S98	2	("20060093998").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 10:35
S99	727	S95 and reflect$3	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 10:43
S100	162	S95 and (reflect$3 near2 lens)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 10:43
S101	4407	lens same (eye near2 (track$3 or respons$4 or movement))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S102	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 13:54
S103	12530	S101 or S102	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S104	85	S103 and lewis.in.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:54
S105	218409	S104 adn lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 13:55
S106	28	S104 and lens.clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT;	OR	ON	2013/11/05 13:55

			IBM_TDB			
S107	25	"6231183"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 14:21
S108	1207	S102 and (logo or decorative or symbol)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:22
S109	8377	((351/158) or (385/8) or (359/13,630-633) or (345/7-9)).CCLS.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/05 14:24
S110	1075	S109 and ((frame or temple) same (circuit$3 or electronic))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24
S111	243	S110 and S108	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/11/05 14:24

EAST Search History (Interference)

<This search history is empty>

11/5/2013 3:32:12 PM
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PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. LEWIS
Art Unit	2872
Examiner Name	D. Collins
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	RE39539		2007-04-03	Torch	
	2	4659197		1987-04-21	Weinblatt	
	3	6231183		2001-03-15	Dillon	
	4	7500747		2009-03-10	Howell et al.	
	5	4300818		1981-11-17	Schachar	
	6	5671035		1997-09-23	Barnes	
	7	6879443		2005-04-12	Spitzer et al.	
	8	7484847		2009-02-03	Fuziak	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 03/18/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
(Not for submission under 37 CFR 1.99)	First Named Inventor	Scott W. LEWIS
	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

/DJC/	9	7758185		2010-07-20	Lewis	
/DJC/	10	7918556		2011-04-05	Lewis	

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DJC/	1	20050001981		2005-01-06	Anderson et al.	
	2	20040097839		2004-05-20	Epley	
	3	20040212776		2004-10-28	Spitzer et al.	
	4	20060023158		2006-02-02	Howell et al.	
	5	20050248722		2005-11-10	Nelis	
	6	20050097179		2005-05-05	Orme	
	7	20060093998		2006-05-04	Vertegaal	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DJC/

Receipt date: 03/18/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

/DJC/	8	20060132382		2006-06-22	Jannard	
	9	20100045928		2010-02-25	Levy	
	10	20100145729		2010-06-10	Katz	
	11	20050248722		2005-11-10	Nelis	
	12	20050097179		2005-05-05	Orme	
	13	20100079356		2010-04-01	Hoellwarth	
	14	20100110368		2010-05-06	Chaum	

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
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Receipt date: 03/18/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
/DJC/	1	Claims from US application 11/246,873 filed October 7, 2005	☐
/DJC/	2	Claims from US application 11/246,875 filed October 7, 2005	☐
/DJC/	3	Claims from US application 11/246,849 filed October 7, 2005	☐

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Examiner Signature	/Darryl J. Collins/	Date Considered	11/05/2013

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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Receipt date: 03/18/2013	Application Number	13739929
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
(Not for submission under 37 CFR 1.99)	Art Unit	2872
	Examiner Name	D. Collins
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-03-18
Name/Print	Joseph A. Sawyer, Jr.	Registration Number	30801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Receipt date: 03/18/2013

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/739,929

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	300		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	10 minus 20 =	*	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 =	*	x 210 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	730		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)	OR	RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/739,929	01/11/2013	2872	598	3448C-3	10	1

CONFIRMATION NO. 8057

UPDATED FILING RECEIPT

29141
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

OC000000064463623

Date Mailed: 10/24/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Scott W. Lewis, Los Gatos, CA;

Applicant(s)

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Joseph Sawyer Jr--30801
Michael Woods--33466
Stephen Sullivan--38329
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Michele Baillie--44875
Erin Ming--47797
Joyce Tom--48681
Kelvin Vivian--53727

Domestic Priority data as claimed by applicant

This application is a CON of 13/078,589 04/01/2011 PAT 8353594 *
which is a CON of 12/621,423 11/18/2009 PAT 7918556
which is a CON of 12/029,068 02/11/2008 PAT 7758185
which is a DIV of 11/245,756 10/07/2005 ABN
(*)Data provided by applicant is not consistent with PTO records.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 02/04/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/739,929**

Projected Publication Date: 01/30/2014

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****
Title

DIGITAL EYEWEAR

Preliminary Class

351

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	3448C-3

CONFIRMATION NO. 8057

29141
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

NOTICE

OC000000064463624

Date Mailed: 10/24/2013

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

A new inventor's oath or declaration that identifies this application (e.g., by Application Number and filing date) is required. The inventor's oath or declaration does not comply with 37 CFR 1.63 in that it:

- does not state that the above-identified application was made or authorized to be made by the person executing the oath or declaration.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. Lewis
Art Unit	2872
Examiner Name	Not yet known
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20110213664		2011-09-01	Osterhout et al.	
	2	20120021806		2012-01-26	Maltz	
	3	20120068913		2012-03-22	Bar-Zeev et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	Not yet known
	Attorney Docket Number	3448C-3

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. Lewis
	Art Unit	2872
	Examiner Name	Not yet known
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-10-09
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	17081791
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sarah Jeromin
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	09-OCT-2013
Filing Date:	11-JAN-2013
Time Stamp:	14:32:12
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	5087P_IDS.pdf	611815 4986f05313c015e9c88a85beff49c39ab87bb9f6	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	611815

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. 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 contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	LEWIS, Scott W.
Art Unit	2872
Examiner Name	
Attorney Docket Number	3448C-3

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	5583795		1996-12-10	Smyth	
	2	5751260		1998-05-12	Nappi et al.	
	3	7651220		2010-01-26	Pattikonda	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	LEWIS, Scott W.
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	3448C-3

If you wish to add additional Foreign Patent Document citation information please click the Add button			Add
NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐
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EXAMINER SIGNATURE			
Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	LEWIS, Scott W.
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-08-01
Name/Print	Joseph A. SAWYER, Jr.	Registration Number	30,801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	16475804
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sarah Jeromin
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	01-AUG-2013
Filing Date:	11-JAN-2013
Time Stamp:	13:19:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	611761 2f0d2e197cf0e7d37cf5b2a251a8cf5679568fcc	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	611761

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

DECLARATION (37 CFR 1.63) FOR UTILITY PATENT APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) AND ASSIGNMENT

Title of Invention: DIGITAL EYEWEAR

As a below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

▩ US application or PCT international application number 13/739,929 filed on January 11, 2013.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

I have reviewed and understand the contents of the application, including the claims.

I am aware of the duty to disclose to the United States Patent & Trademark Office all information known to me to be material to patentability as defined in 37 CFR Section 1.56.

Whereas, each undersigned inventor has made certain inventions, improvements, and discoveries (herein referred to as the "Invention") disclosed in the above-identified patent application;

Whereas, Percept Technologies Inc., a corporation organized under the laws of the state of Nevada, having a principal place of business at 10080 West Alta Drive, Suite 200, Las Vegas, NV 89145, desires to acquire, and each undersigned inventor desires to grant to Percept Technologies Inc., the entire worldwide right, title, and interest in and to the Invention and in and to any and all patent applications and patents directed thereto;

For good and valuable consideration, the receipt of which is hereby acknowledged, each undersigned inventor ("ASSIGNOR"), hereby sells, assigns and otherwise transfers to Percept Technologies Inc. (the "ASSIGNEE"), and its successors, assigns and legal representatives, the entire right, title and interest, for all countries in and to certain inventions described in an application for Letters Patent of the United States,

and the invention(s) and improvement(s) set forth therein, and any and all continuations, continuations-in-part, divisionals, and renewals of and substitutes for said application for said Letters Patent, and all the rights and privileges under any and all Letters Patent that may be granted therefore in any country, and any reissues, or reexaminations, or extensions of said Letters Patent. I request that any and all Letters Patent for said inventions be issued to said Assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I will, without charge to said Assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said Assignee, its successors, assigns and legal representatives or nominees.

I authorize and empower the said Assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization.

I hereby consent that this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said Assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International convention which may henceforth be substituted for it.

I covenant with said Assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed. In witness whereof, I have hereunto signed my name on the day and year set forth below.

Inventor's Signature _____ Date: 4/2/13

Legal Name of Inventor: Scott W. LEWIS

Electronic Acknowledgement Receipt

EFS ID:	15950611
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sherry Long
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	04-JUN-2013
Filing Date:	11-JAN-2013
Time Stamp:	22:07:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Oath or Declaration filed	3448C-3_DeclarationandAssignment-EXECUTED.pdf	1154406 6cf2db7f1ba4e0e831dbc79d68792b56569bab81	no	2

Warnings:	
Information:	

Total Files Size (in bytes):	1154406

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
Scott W. LEWIS	04/02/2013

RECEIVING PARTY DATA

Name:	Percept Technologies Inc.
Street Address:	10080 West Alta Drive, Suite 200
City:	Las Vegas
State/Country:	NEVADA
Postal Code:	89145

PROPERTY NUMBERS Total: 1

Property Type	Number
Application Number:	13739929

CORRESPONDENCE DATA

Fax Number: 6504934549
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 650-493-4540
Email: patent@sawyerlawgroup.com
Correspondent Name: Sawyer Law Group, P.C.
Address Line 1: P.O. Box 51418
Address Line 4: Palo Alto, CALIFORNIA 94303

CH $40.00 13739929

ATTORNEY DOCKET NUMBER:	3448C-3
NAME OF SUBMITTER:	Joseph A. Sawyer, Jr.
Signature:	/Joseph A. Sawyer, Jr./
Date:	06/04/2013
	This document serves as an Oath/Declaration (37 CFR 1.63).

Total Attachments: 2
source=3448C-3_DeclarationandAssignment-EXECUTED#page1.tif
source=3448C-3_DeclarationandAssignment-EXECUTED#page2.tif

DECLARATION (37 CFR 1.63) FOR UTILITY PATENT APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) AND ASSIGNMENT

Title of Invention: **DIGITAL EYEWEAR**

As a below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

▩ US application or PCT international application number 13/739,929 filed on January 11, 2013.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

I have reviewed and understand the contents of the application, including the claims.

I am aware of the duty to disclose to the United States Patent & Trademark Office all information known to me to be material to patentability as defined in 37 CFR Section 1.56.

Whereas, each undersigned inventor has made certain inventions, improvements, and discoveries (herein referred to as the "Invention") disclosed in the above-identified patent application;

Whereas, Percept Technologies Inc., a corporation organized under the laws of the state of Nevada, having a principal place of business at 10080 West Alta Drive, Suite 200, Las Vegas, NV 89145, desires to acquire, and each undersigned inventor desires to grant to Percept Technologies Inc., the entire worldwide right, title, and interest in and to the Invention and in and to any and all patent applications and patents directed thereto;

For good and valuable consideration, the receipt of which is hereby acknowledged, each undersigned inventor ("ASSIGNOR"), hereby sells, assigns and otherwise transfers to Percept Technologies Inc. (the "ASSIGNEE"), and its successors, assigns and legal representatives, the entire right, title and interest, for all countries in and to certain inventions described in an application for Letters Patent of the United States,

and the invention(s) and improvement(s) set forth therein, and any and all continuations, continuations-in-part, divisionals, and renewals of and substitutes for said application for said Letters Patent, and all the rights and privileges under any and all Letters Patent that may be granted therefore in any country, and any reissues, or reexaminations, or extensions of said Letters Patent. I request that any and all Letters Patent for said inventions be issued to said Assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I will, without charge to said Assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said Assignee, its successors, assigns and legal representatives or nominees.

I authorize and empower the said Assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization.

I hereby consent that this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said Assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International convention which may henceforth be substituted for it.

I covenant with said Assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed. In witness whereof, I have hereunto signed my name on the day and year set forth below.

Inventor's Signature _____ Date: 4/2/13

Legal Name of Inventor: Scott W. LEWIS

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. 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 contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	
	Examiner Name	
	Attorney Docket Number	3448C-3

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
If you wish to add additional U.S. Patent citation information please click the Add button.						Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20120147043		2012-06-14	Asukai et al.	
If you wish to add additional U.S. Published Application citation information please click the Add button.						Add

FOREIGN PATENT DOCUMENTS								Remove
Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐
If you wish to add additional Foreign Patent Document citation information please click the Add button								Add

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	
	Examiner Name	
	Attorney Docket Number	3448C-3

	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	
	Examiner Name	
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-03-26
Name/Print	Joseph A. Sawyer, Jr.	Registration Number	30801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	15359077
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sherry Long
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	26-MAR-2013
Filing Date:	11-JAN-2013
Time Stamp:	17:20:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	611694 4449a6b7e88135ce1dfa48ef464352136b95ee3c	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	611694

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
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PTO/AIA/14 (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
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 contains a valid OMB control number.

Supplemental **Application Data Sheet 37 CFR 1.76**	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Scott	W.	Lewis	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Los Gatos	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	15559 Union Avenue, #400		
Address 2			
City	Los Gatos	**State/Province**	CA
Postal Code	95032	**Country**	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	29141		
Email Address	patent@sawyerlawgroup.com	Add Email	Remove Email

Application Information:

Title of the Invention	DIGITAL EYEWEAR		
Attorney Docket Number	3448C-3	**Small Entity Status Claimed**	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		**Sub Class (if any)**	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	6	**Suggested Figure for Publication (if any)**	

PTO/AIA/14 (08-12)
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Supplemental **Application Data Sheet 37 CFR 1.76**	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐	**Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	29141		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	13078589	2011-04-01

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
13078589	Continuation of	12621423	2009-11-18	7918556	2011-04-05

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
12621423	Continuation of	12029068	2008-02-11	7758185	2010-07-20

Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12029068	Division of	11245756	2005-10-07

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

PTO/AIA/14 (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Supplemental **Application Data Sheet 37 CFR 1.76**	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

Remove

Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Priority Claimed
			○ Yes ◉ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

PTO/AIA/14 (08-12)
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Supplemental **Application Data Sheet 37 CFR 1.76**	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

◉ Assignee	○ Legal Representative under 35 U.S.C. 117
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :

If the Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information:

Address 1			
Address 2			
City		**State/Province**	
Country	US	Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications

Signature	/Joseph A. Sawyer Jr./			Date (YYYY-MM-DD)	2013-03-18
First Name	Joseph A.	Last Name	Sawyer Jr.	Registration Number	30801

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Supplemental **Application Data Sheet 37 CFR 1.76**	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	13739929
Filing Date:	11-Jan-2013
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Filer:	Joseph A. Sawyer/Sarah Jeromin
Attorney Docket Number:	3448C-3

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	98	98
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
Pages:				
Claims:				
Miscellaneous-Filing:				
Late Filing Fee for Oath or Declaration	2051	1	65	65
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**598**

Electronic Acknowledgement Receipt

EFS ID:	15290199
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sarah Jeromin
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	18-MAR-2013
Filing Date:	11-JAN-2013
Time Stamp:	18:13:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$598
RAM confirmation Number	10397
Deposit Account	022120
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Application Data Sheet	3448C3_Suppl_ADS.pdf	519632 474aa8b5c6c7eb34bd5aa4b0cdf21ceb9b79ecc1	no	6
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
2	Fee Worksheet (SB06)	fee-info.pdf	36834 dbd0e06adf482b3313fb3a0d0acedeac162d108f	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	556466		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13739929
Filing Date	2013-01-11
First Named Inventor	Scott W. LEWIS
Art Unit	2872
Examiner Name	
Attorney Docket Number	3448C-3

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	RE39539		2007-04-03	Torch	
	2	4659197		1987-04-21	Weinblatt	
	3	6231183		2001-03-15	Dillon	
	4	7500747		2009-03-10	Howell et al.	
	5	4300818		1981-11-17	Schachar	
	6	5671035		1997-09-23	Barnes	
	7	6879443		2005-04-12	Spitzer et al.	
	8	7484847		2009-02-03	Fuziak	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	3448C-3

	9	7758185		2010-07-20	Lewis	
	10	7918556		2011-04-05	Lewis	

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U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20050001981		2005-01-06	Anderson et al.	
	2	20040097839		2004-05-20	Epley	
	3	20040212776		2004-10-28	Spitzer et al.	
	4	20060023158		2006-02-02	Howell et al.	
	5	20050248722		2005-11-10	Nelis	
	6	20050097179		2005-05-05	Orme	
	7	20060093998		2006-05-04	Vertegaal	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	3448C-3

	8	20060132382		2006-06-22	Jannard	
	9	20100045928		2010-02-25	Levy	
	10	20100145729		2010-06-10	Katz	
	11	20050248722		2005-11-10	Nelis	
	12	20050097179		2005-05-05	Orme	
	13	20100079356		2010-04-01	Hoellwarth	
	14	20100110368		2010-05-06	Chaum	

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	3448C-3

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	Claims from US application 11/246,873 filed October 7, 2005	☐
	2	Claims from US application 11/246,875 filed October 7, 2005	☐
	3	Claims from US application 11/246,849 filed October 7, 2005	☐

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13739929
	Filing Date	2013-01-11
	First Named Inventor	Scott W. LEWIS
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	3448C-3

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph A. Sawyer, Jr./	Date (YYYY-MM-DD)	2013-03-18
Name/Print	Joseph A. Sawyer, Jr.	Registration Number	30801

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	15292073
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott W. Lewis
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sherry Long
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	18-MAR-2013
Filing Date:	11-JAN-2013
Time Stamp:	20:14:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	3448C-3_IDS.pdf	612904 2c0e1bab35802b536e5075bde35e0f3cb64547af	no	6

Warnings:	
Information:	

2	Non Patent Literature	NPL1.pdf	45478 f7259cfb316652f393d8fab602bff237da56f59d	no	3
Warnings:					
Information:					
3	Non Patent Literature	NPL2.pdf	37748 4b3f12c28835f453fb9498919709c2630f2e9c80	no	2
Warnings:					
Information:					
4	Non Patent Literature	NPL3.pdf	33117 a62d955ffefa807f557fbe86043f7626f68cd782	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	729247		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

<u>National Stage of an International Application under 35 U.S.C. 371</u>
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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 NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/739,929	01/11/2013	2872	0.00	3448C-3	10	1

CONFIRMATION NO. 8057

29141
Sawyer Law Group, P.C.
P.O. Box 51418
Palo Alto, CA 94303

FILING RECEIPT

OC000000059097259

Date Mailed: 02/11/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Scott W. Lewis, Los Gatos, CA;

Applicant(s)

Scott W. Lewis, Los Gatos, CA;

Power of Attorney:

Joseph Sawyer Jr--30801
Michael Woods--33466
Stephen Sullivan--38329
Janyce Mitchell--40095
Michele Baillie--44875
Erin Ming--47797
Joyce Tom--48681
Kelvin Vivian--53727

Domestic Priority data as claimed by applicant

This application is a CON of 13/078,589 04/01/2011 PAT 8353594 *
which is a CON of 12/621,423 11/18/2009 PAT 7918556
which is a CON of 12/029,068 02/11/2008 PAT 7758185
which is a DIV of 11/245,756 10/07/2005 ABN
(*)Data provided by applicant is not consistent with PTO records.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 02/04/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/739,929**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No
Title

DIGITAL EYEWEAR

Preliminary Class

351

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/739,929

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	390
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	620
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	250
TOTAL CLAIMS (37 CFR 1.16(i))	10 minus 20 =	*			OR	x 62 =	0.00
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 =	*				x 250 =	0.00
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	1260

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)	OR	RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/739,929	01/11/2013	Scott W. Lewis	3448C-3

CONFIRMATION NO. 8057

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FORMALITIES LETTER

OC000000059097260

Date Mailed: 02/11/2013

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

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 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 statutory basic filing fee is missing.
  *Applicant must submit $**390** to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A surcharge (for late submission of the basic filing fee, search fee, examination fee or inventor's oath or declaration) as set forth in 37 CFR 1.16(f) of $ **130** for a non-small entity, must be submitted.

SUMMARY OF FEES DUE:

Total fee(s) required within **TWO MONTHS** from the date of this Notice is $ **1390** for a non-small entity
- $ **390** Statutory basic filing fee.
- $ **130** Surcharge.
- The application search fee has not been paid. Applicant must submit $ **620** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit $ **250** to complete the examination fee for a non-small entity.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

A new inventor's oath or declaration that identifies this application (e.g., by Application Number and filing date) is required. The inventor's oath or declaration does not comply with 37 CFR 1.63 in that it:

- does not state that the above-identified application was made or authorized to be made by the person executing the oath or declaration.

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

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Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/hchin/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Docket No: **3448P**

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

■ **Declaration Submitted with Initial Filing**

☐ **Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16(e) required)**

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 plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIGITAL EYEWEAR

the specification of which

■ is attached hereto.

☐ was filed on _____ as US Application Serial No. _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Foreign Application(s) and/or Claim of Foreign Priority

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

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: NO:
			YES: NO:

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(pending)

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (continued)

POWER OF ATTORNEY:
As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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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 Inventor: **Scott W. LEWIS** Citizenship: **USA**

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10/7/05
Date

Inventor's Signature

DIGITAL EYEWEAR

CROSS-REFERENCE TO RELATED APPLICATION

[0001] Under 35 USC §120 this application is a continuation application and claims the benefit of priority to U.S. Patent Application No. 13/078,589, filed on April 1, 2011 entitled "DIGITAL EYEWEAR", which is a continuation of U.S. Patent Application No. 12/621,423, filed on November 18, 2009, entitled "DIGITAL EYEWEAR", now U.S. Patent No. 7,918,556, issued on April 5, 2011, which is a continuation of U.S. Patent Application No. 12/029,068, filed February 11, 2008, entitled "DIGITAL EYEWEAR", now U.S. Patent No. 7,758,185, issued on July 20, 2010, which is a divisional application of U.S. Patent Application No. 11/245,756, filed October 7, 2005, entitled "DIGITAL EYEWEAR", all of which are incorporated herein by reference.

FIELD OF THE INVENTION

[0002] The present invention relates generally to eyewear and more particularly to eyewear that includes additional functionality.

BACKGROUND OF THE INVENTION

[0003] Eyewear is utilized for a variety of purposes. Eyewear is used for improving one's vision for reading glasses and to protect one's vision. Oftentimes protective goggles are used to protect eyes within dangerous areas. It is desirable to add additional functionality to glasses. This functionality can include a variety of forms, which are electronic, mechanical, aesthetic, etc. Accordingly, it is always desired to provide additional functionality to eyewear. What is desired is a system and method

which will increase the functionality of glasses beyond their normal use while still maintaining them for their primary uses. The present invention addresses such a need.

SUMMARY OF THE INVENTION

[0004] Improved eyewear is disclosed. The eyewear comprises a frame member and a lens. The eyewear also includes circuitry within the frame member for enhancing the use of the eyewear.

[0005] A system and method in accordance with the present invention is directed to a variety of ways to enhance the use of eyeglasses. They are:

[0006] (1) Media focals, that is, utilizing the eyewear for its intended purpose and enhancing that use by using imaging techniques to improve the vision of the user.

[0007] (2) Telecommunications enhancements that allow the eyeglasses to be integrated with telecommunication devices such as cell phones or the like.

[0008] (3) Entertainment enhancements that allow the eyewear to be integrated with devices such as MP3 players, radios, or the like.

BRIEF DESCRIPTION OF THE DRAWINGS

[0009] Figure 1 is a diagram that illustrates Media focals.

[0010] Figure 2 illustrates an information bar on media focal eyewear.

[0011] Figure 3 is a block diagram of the features of eyewear that are utilized in a music environment such as an MP3 player.

[0012] Figure 3a illustrates a plurality of MP3 player eyewear users in a karaoke performance.

[0013] Figure 4 is a block diagram that illustrates eyewear that is utilized as a cell phone.

[0014] Figure 5 is a block diagram that illustrates the cellular phone circuitry of Figure 4.

DETAILED DESCRIPTION

[0015] The present invention relates generally to eyewear and more particularly to eyewear that includes additional functionality. The following description is presented to enable one of ordinary skill in the art to make and use the invention and is provided in the context of a patent application and its requirements. Various modifications to the preferred embodiments and the generic principles and features described herein will be readily apparent to those skilled in the art. Thus, the present invention is not intended to be limited to the embodiments shown, but is to be accorded the widest scope consistent with the principles and features described herein.

[0016] A system and method in accordance with the present invention is directed to a variety of ways to enhance the use of eyeglasses. There are three areas of eyeglass enhancement which are identified in the present application. They are:

[0017] (1) Media focals that is, utilizing the eyewear for its intended purpose and enhancing that use by using imaging techniques to improve the vision of the user.

[0018] (2) Telecommunications enhancements that allow the eyeglasses to be integrated with telecommunication devices such as cell phones or the like.

[0019] (3) Entertainment enhancements that allow the eyewear to be integrated with devices such as MP3 players, radios, or the like.

[0020] Finally, these features can be utilized together to provide a user with all of the above-enhanced features. To describe the features of the present invention in more detail refer now to the following description in conjunction with the accompanying figures.

1. Media focals 100

[0021] Figure 1 is a diagram that illustrates Media focals 100. Media focals 100 comprises an information bar 102, receiver 104, digital circuitry 106, frames 108 and lens 110. Media focals 100 allow for enhancing the eyewear for its primary purpose, for example, a digital camera could be placed within the eyewear to allow for seeing certain of these images. For example, the circuitry 106 for the media focals 100 could be placed within the frame 108 of the eyewear. The lens 110 could have a totally reflective surface, or a partially reflective surface using LCDs or the like. In effect the eyewear could look like see-through glasses, but through the use of the circuitry 106 within the eyewear it is actually a media focal. Additionally, the eyewear could incorporate a camera to project the user onto a second lens to achieve a see-through effect.

[0022] In a preferred embodiment, an information bar 102 is provided across a portion of the eyewear which is visible to the user. This information bar 102 is used to convey a variety of types of information.

[0023] Figure 2 comprises an information bar 102' on media focal eyewear. The information bar 102' can be a stock ticker scrolling across the top portion of the eyewear, as is shown in Figure 2. Although the information bar 102' is shown displaying a stock ticker, other kinds of information such as song titles, lyrics and the like could be displayed in the information bar. This information bar is referred to as E-focals. This information might be provided from a digital receiver through an FM station, through a cellular wireless device, or an MP3 player. Additional functionality of the E-focal will be described with more detail with respect to the cell phone enhancements as well as the music player enhancements.

[0024] One of the key features of the media focals 100 is the use of the media focals to enhance the primary function of the user, that is, being able to more accurately and clearly see the objects. In such an environment, for example, it is possible to have a zoom feature circuit to allow for the use of the eyewear as binoculars. This would allow for the user to see objects more closely based on certain activities of the user. For example, there may be eye or pressure sensors on the eyewear that will activate the binocular circuitry in the glasses which could receive visual data through a camera, CCD receiver of the like.

[0025] In the preferred embodiment, the circuitry 106 would be located somewhere in the frame of the glasses to provide this functionality and as circuits became smaller

and devices became smaller it would be easier and easier to embed the circuitry that is well known for use for such functions directly within the device. The circuitry 106 in the device could be, for example, eye sensors which could be pressure sensors, capacitive sensors or some other type of sensor for allowing the eyes to direct the activities. Eye movement sensors, for example, could be used to activate and control the binocular glasses. Similarly, a digital camera could be put on the glasses that would allow the same kinds of technology to take pictures by the person directly.

[0026] In a similar vein, the glasses could be used as a normal corrective lens glass utilizing the digital imagery, so that, for example, a user has a certain prescription that they use with their normal prescription glasses to view an object clearly. As the user's eyes change, it would be possible that an optometrist could download the new prescription to the eyewear such that a digital transformation of the image information is provided which is compatible with the new prescription.

[0027] Also, in a preferred embodiment a method for sensing and controlling the digital media could be implemented in a variety of ways. For example, an activity of the eye itself would control the activity of the media focal. So, for example, if the idea was to zoom the image, the eye would blink twice. It would also be possible to detect facial and eye movements (squinting, for example), as well as changes in the pupil and iris.

[0028] In a further embodiment, it would be possible for the eyeglasses in accordance with the present invention to function within a client/server model or Bluetooth (wi fi) model. Utilization of the client/server model and Bluetooth wifi would make possible, for example, the display of live news or special reports (such as financial

reports) from the Internet or similar sources on the eyeglasses. This would also allow for portions of circuitry to be located remotely such that less circuitry in the eyewear is required.

[0029] The eyewear could also include a logo, for example, law enforcement officers could have their glasses emblazoned with “Police”, “Sheriff”, “MP”, etc.; young people could have their eyeglasses emblazoned with words and images that reflected their favorite performers, etc.; sports teams could offer the eyeglasses at discount with team monograms, etc. They could also be purchased by companies, emblazoned with the company logos, and given out as retirement gifts, etc.

2. Music Environment

[0030] Figure 3 is a block diagram of eyewear 300 that is utilized in a music environment such as an MP3 player. Figure 3 comprises eyewear 300, an information bar 302, MP3 player circuitry 304, storage 306, frames 308, and one or a plurality of lenses 310. Another environment as has been above described is the music environment. What would be desirable would be to provide music glasses in which an MP3 player on an IPod or the like is incorporated in the eyewear, either in a wired or wireless environment. Through the use of this type of system, a plurality of users could be networked via an MP3 player type environment within a hotspot, or the like, which would allow one to have downloads of whatever music is required through the eyeglasses. The system could allow for downloadable music which could be selected via scrolling and the like through voice recognition systems.

[0031] By connecting to a client-server network or Bluetooth wifi installation, for example, the eyeglasses could link to a multimedia network, authorize downloading and billing for selected music. By this means, access to a plurality of libraries for music selections could be provided.

[0032] It would also be possible to provide access to streaming audio media. Also, access can be provided to multimedia libraries, etc., via the client/server model.

[0033] Information could be received via a digital client/server model enabled to work with iPods or MP3 players. Similarly, bluetooth wireless technology could be utilized to provide access to music and live audio sources.

[0034] The eyewear could also be utilized in conjunction with wireless technology to allow a user or a plurality of users to participate simultaneously in single or group karaoke singing. The eyewear could be used specifically to display the lyrics of a song, melody, notes, name of the song or other associated references.

[0035] It would also be possible to receive and listen to AM or FM radio signals, via an AM/FM radio tuner connected to the eyewear hardware.

[0036] In this type of environment, the headphones can be either digital or analog. The user doesn't need to have 10,000 songs, for example. They can come enrolled in an in-song virtual network library upon entering a hotspot. Therefore, the local storage 306 could be limited. In addition, this would provide location identity information for one who is using the network. The songs can be streamed as well as downloaded. The

songs could be purchase using the eyewear. The system could be scaleable; depending upon what kind of device was being used.

3. Telecommunications Environment

[0037] Figure 4 is a block diagram that illustrates eyewear that is utilized as a cell phone 400. Figure 4 comprises cellular phone circuitry 402, a microphone 104, frames 408 and one or a plurality of lenses 410. The cell phone eyewear 400 could be implemented utilizing digital telephone technology. Circuitry 402 within the eyewear could be utilized to allow a telephone number or other visual information such as that provided by multimedia messaging services to be displayed on the lens 410 of the eyewear as shown in Figure 3. Figure 5 is a block diagram that illustrates the cellular phone circuitry of Figure 4. Figure 5 comprises noise cancelling circuitry 502, voice recognition circuitry 504, caller ID circuitry 506 and speaker recognition circuitry 508 and media processing circuits 509. The telephone number could be activated via the digital circuitry 402 as part of the media focals 100. In addition, the circuitry could be made truly digital via a digital signal processor which is coupled to a camera otherwise in the environment. The above system would allow for voice recording through use of a microphone 104 and would allow for voice recognition through use of the voice recognition circuitry 504, which would allow for signal conditioning on the cell phone in a variety of ways.

[0038] The cell phone environment 402 provides a plurality of areas for improvement utilizing existing technologies. Firstly, one of the major annoyances in cell phone use is that the users have to speak in a loud manner because of background noise and the

like. There are a variety of reasons for this problem including the placement of the microphone of the cell phone relative to the speaker's mouth, due to the aforementioned background noise, and other issues. By placing the microphone 104 strategically on the eyewear such as near the noise or mouth the user will not have to speak as loudly. The microphone could also be located in flip down microphones. In addition noise canceling circuitry 502 could be utilized to remove the background noise. The microphone capability would include the advantage of utilizing noise rejection techniques. Buttons located on the eyewear can be utilized to control features thereon. Finally, the microphone 104 could utilize whisper technology such that the speaker will not have to speak as loudly.

[0039] The eyewear would in a preferred embodiment include voice recognition circuitry 504 and caller ID circuitry 506. The conventionality for hearing and talking in a preferred embodiment would be located in ear and nose pad portions of glasses. Referring back to Figure 3, the electronics for the cell phone in a preferred embodiment would be within the frame 308 of the eyewear. In addition the eyewear would include a fully integrated information bar 302. Finally, a speaker recognition algorithm 508 as shown in Figure 5 would allow only the voice of the user to be recognized and the background noise would be cancelled. Accordingly, the unique characteristics of the speaker are provided via an audible model.

[0040] This can performed utilizing a variety of methods. For example analyzing the voice of the user and combining the analysis with noise cancellation. In another

example the user can talk softly and cancel noise and a directional microphone is used which takes advantage of device location.

[0041] Similar to the media focal and MP3 player environments, a digital client/server or Bluetooth/wifi model could be adapted to link the eyewear to external communication equipment. Such equipment could include digital cell phones, PDAs or wifi enabled PCs or other devices. Such an embodiment could enable review of voicemail, screen viewed emails, text to speech audio email conversions, multimedia messaging services, and other data sources.

[0042] Wireless or Bluetooth interconnection could also make possible VOIP glasses to be utilized instead of a cell phone. Other features enabled by a wireless link could link the eyeware to MP3 devices, an iPod, a printer, wireless/wired TV, coupons, and the like. Also "PDA glasses" could provide built in a time display, alarm calendar, interfacing with PCs or network sources, a speaker and the like.

[0043] Although the present invention has been described in accordance with the embodiments shown, one of ordinary skill in the art will readily recognize that there could be variations to the embodiments and those variations would be within the spirit and scope of the present invention. Accordingly, many modifications may be made by one of ordinary skill in the art without departing from the spirit and scope of the appended claims.

CLAIMS

What is claimed is:

1. Eyewear comprising:

a frame member;

a lens and;

circuitry within the frame member for enhancing the use of the eyewear.

2. The eyewear of claim 1 wherein the circuitry provides an information bar across the lens for a user.

3. The eyewear of claim 1 wherein the lens is reflective.

4. The eyewear of claim 1 wherein the lens is partially reflective.

5. The eyewear of claim 1 wherein the circuitry provides any of a cell phone, media focals, and an MP3 player.

6. The eyewear of claim 1 wherein an information bar is provided on the lens.

7. The eyewear of claim 1 wherein the eyewear can be utilized in a client server system to allow for the display of certain information.

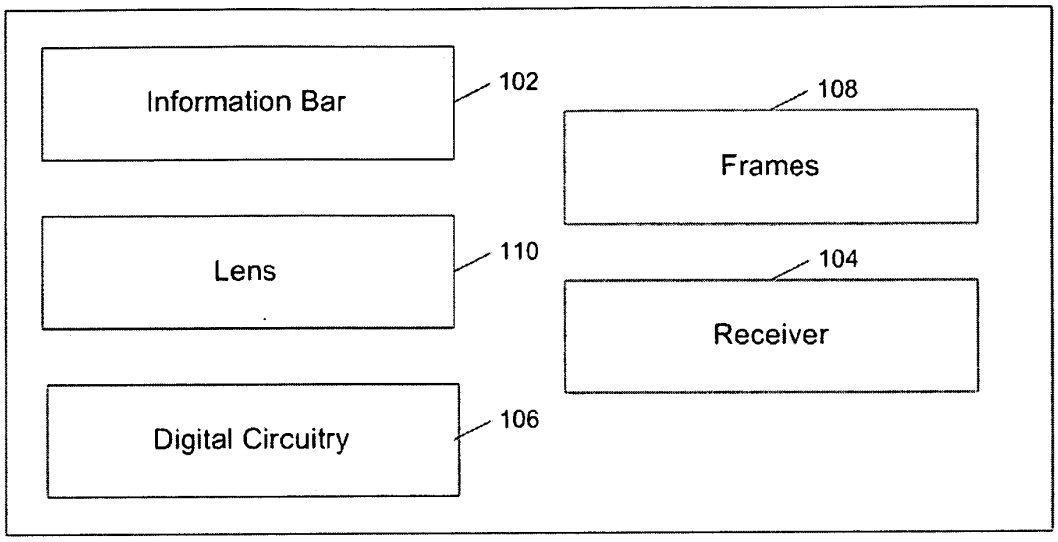
8. The eyewear of claim 1 wherein a logo is placed on a front surface of the lens.

9. The eyewear of claim 1 wherein the eyewear incorporates a camera to project a reciprocal display using a second lends.

10. The eyewear of claim 1 wherein the eyewear includes a pushbutton system for control.

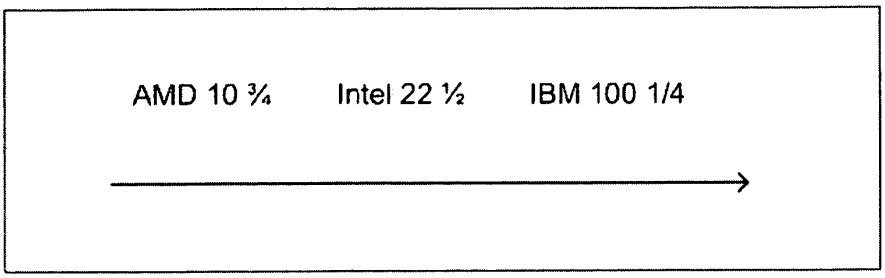
ABSTRACT

Improved eyewear is disclosed. The eyewear comprises a frame member and a lens. The eyewear also includes circuitry within the frame member for enhancing the use of the eyewear. A system and method in accordance with the present invention is directed to a variety of ways to enhance the use of eyeglasses. They are: (1) media focals, that is, utilizing the eyewear for its intended purpose and enhancing that use by using imaging techniques to improve the vision of the user; (2) telecommunications enhancements that allow the eyeglasses to be integrated with telecommunication devices such as cell phones or the like; and (3) entertainment enhancements that allow the eyewear to be integrated with devices such as MP3 players, radios, or the like.


Information Bar
102
108
Frames
Lens
110
104
Receiver
Digital Circuitry
106

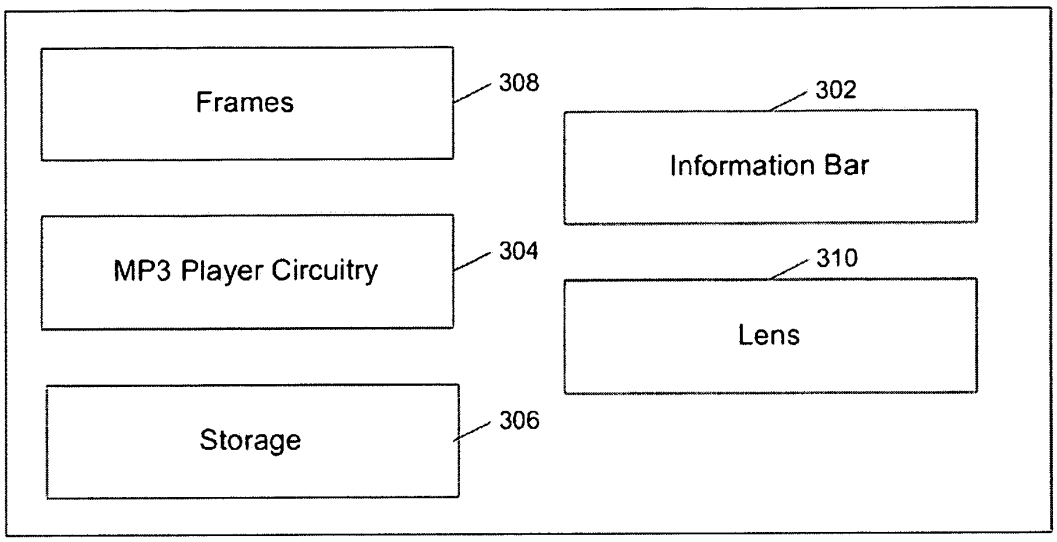
100

Fig. 1



102'

Fig. 2


Frames
308
302
Information Bar
MP3 Player Circuitry
304
310
Lens
Storage
306

300

Fig. 3

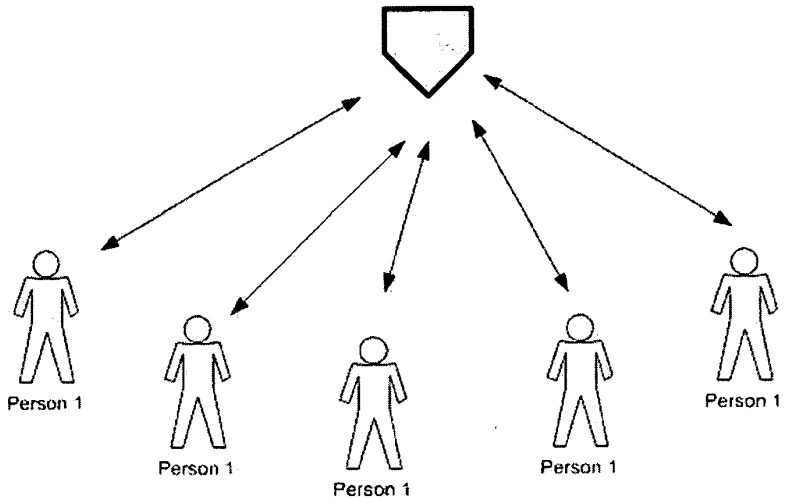
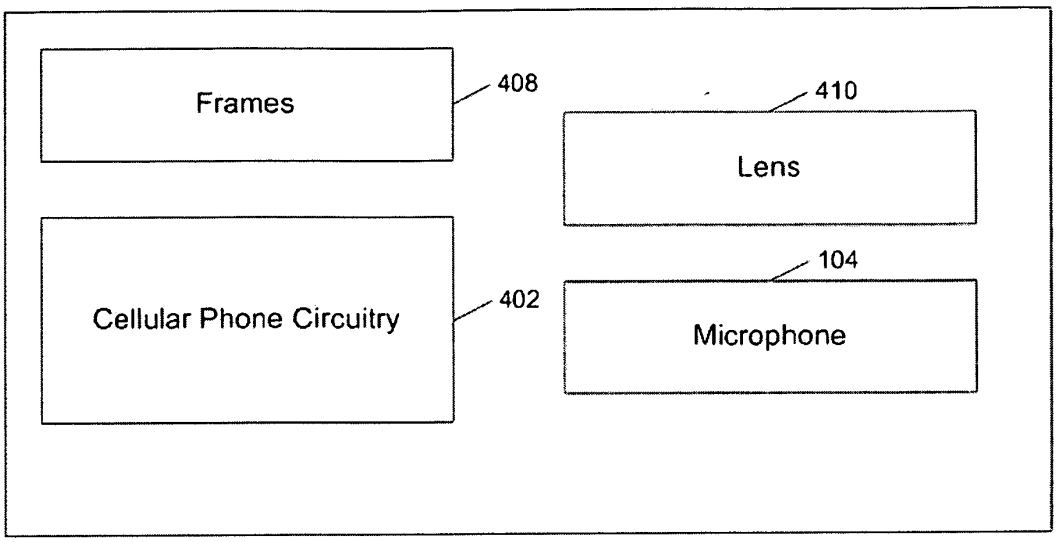
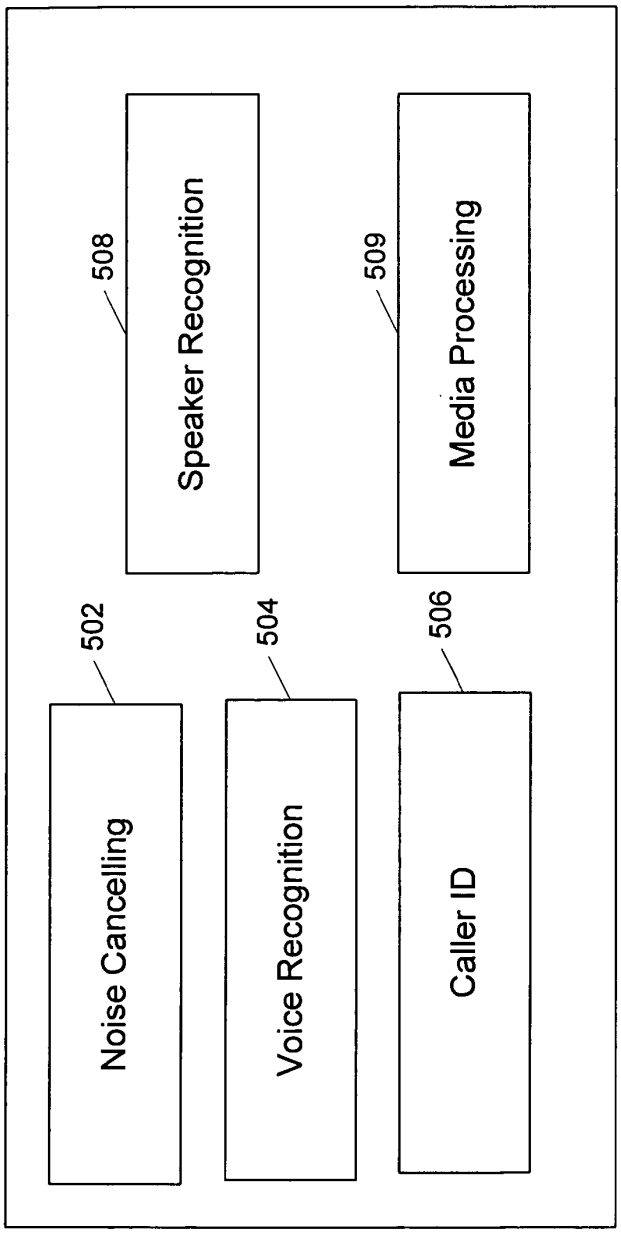


Figure 3A


Frames
408
410
Lens
104
Cellular Phone Circuitry
402
Microphone

400

Fig. 4


Noise Cancelling
502
Voice Recognition
504
Caller ID
506
Speaker Recognition
508
Media Processing
509

402

Fig. 5

Electronic Acknowledgement Receipt

EFS ID:	14682932
Application Number:	13739929
International Application Number:	
Confirmation Number:	8057
Title of Invention:	DIGITAL EYEWEAR
First Named Inventor/Applicant Name:	Scott LEWIS
Customer Number:	29141
Filer:	Joseph A. Sawyer/Sarah Jeromin
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3448C-3
Receipt Date:	11-JAN-2013
Filing Date:	
Time Stamp:	18:17:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	3448C3_ADS.pdf	1399794 a5ae167678ebe9de18cd2e80a1d5af3b4a1ae4e9	no	6

Warnings:	
Information:	

2	Oath or Declaration filed	3448_DeclarationPOA_10-07-2005.pdf	91055 75b483a3e75857cc3ae4ffe97cf10dfd3ab2a168	no	2
Warnings:					
Information:					
3		3448C3_Application.pdf	44891 dd0bd633cf92cfa98929a565e6de30619e2aba6e	yes	14

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Specification	1	11
	Claims	12	13
	Abstract	14	14

Warnings:					
Information:					
4	Drawings-only black and white line drawings	3448C3_Drawings.pdf	57975 65dac3fc45fd2e411cedc049e76e6fbb986005ce	no	6
Warnings:					
Information:					
		Total Files Size (in bytes):	1593715		

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<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

<u>National Stage of an International Application under 35 U.S.C. 371</u>
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Scott	W.	Lewis	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Los Gatos	State/Province	CA	Country of Residence i	US

Mailing Address of Inventor:

Address 1	15559 Union Avenue, #400		
Address 2			
City	Los Gatos	State/Province	CA
Postal Code	95032	Country i	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	29141		
Email Address	patent@sawyerlawgroup.com	Add Email	Remove Email

Application Information:

Title of the Invention	DIGITAL EYEWEAR		
Attorney Docket Number	3448C-3	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	6	Suggested Figure for Publication (if any)	

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	29141		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	13078589	2011-04-01

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
13078589	Continuation of	12621423	2009-11-18	7918556	2011-04-05

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
12621423	Continuation of	12029068	2008-02-11	7758185	2010-07-20

Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12029068	Division of	11245756	2005-10-07

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button. Add

Foreign Priority Information:

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

Remove

Application Number	Country i	Filing Date (YYYY-MM-DD)	Priority Claimed
			○ Yes ◉ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button. Add

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Remove

(•) Assignee	( ) Legal Representative under 35 U.S.C. 117
( ) Person to whom the inventor is obligated to assign.	( ) Person who shows sufficient proprietary interest

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :

If the Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information:

Address 1			
Address 2			
City		**State/Province**	
Country [i]	US	Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Signature:

Remove

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications

Signature	/Joseph A. Sawyer Jr./			Date (YYYY-MM-DD)	2013-01-11
First Name	Joseph A.	Last Name	Sawyer Jr.	Registration Number	30801

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	3448C-3
	Application Number	
Title of Invention	DIGITAL EYEWEAR	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.