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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876
23506 7590 07/18/2022 GARDNER GROFF & GREENWALD, PC 1640 Powers Ferry Road Building 4, Suite 200 Marietta, GA 30067			EXAMINER NGUYEN, VI X	
			ART UNIT 3731	PAPER NUMBER
			NOTIFICATION DATE 07/18/2022	DELIVERY MODE 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):

USPTO@doctrak.com
patent@gardnergroff.com



UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent No. 8,840,635
Issue Date: September 23, 2014
Application No. 13/675,209
Filing or 371(c) Date: November 13, 2012
Attorney Docket No. **2G02.1-453**

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DECISION ON PETITION

This is a Notice regarding the request for acceptance of a fee deficiency submission under 37 CFR 1.28(c) filed February 04, 2022.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

The fee deficiency submission under 37 CFR 1.28(c) is **ACCEPTED**. Accordingly, status as a small entity has been removed and any future fee(s) submitted must be paid at the undiscounted rate.

Inquiries related to this communication should be directed to Schene Gray Paralegal Specialist at (571) 272-2581.

/JOANNE L BURKE/
Lead Paralegal Specialist, OPET



United States Patent and Trademark Office

Office of the Chief Financial Officer

Document Code:WFEE

User :Suad Mohammed

Sale Accounting Date:07/06/2022

Sale Item Reference Number
13675209

Effective Date
02/04/2022

Document Number	Fee Code	Fee Code Description	Amount Paid	Payment Method
I202276E05571713	1461	1.28(C) SUBMISSIONS - APPLIC FILE FEE	\$2,982.00	Salea



United States Patent and Trademark Office

Office of the Chief Financial Officer

Document Code:WFEE

User :67142

Sale Accounting Date:02/09/2022

Sale Item Reference Number
13675209

Effective Date
02/04/2022

Document Number	Fee Code	Fee Code Description	Amount Paid	Payment Method
I202229C52013295	1599	MAINTENANCE/PETITION INTERNAL FEE CODE	\$2,982.00	Credit Card



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE	REQUEST ID
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	158124

Acknowledgement of Loss of Entitlement to Entity Status Discount

The entity status change request below filed through Private PAIR on 02/04/2022 has been accepted.

CERTIFICATIONS:

Change of Entity Status:

☒ Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be notification of loss of entitlement to small or micro entity status, as applicable.

This portion must be completed by the signatory or signatories making the entity status change in accordance with 37 CFR 1.4(d)(4).

Signature:	/Daniel S. Hong/
Name:	Daniel S. Hong
Registration Number:	77670

To: 5712739300

From: 7709840098

2-04-22 1:05pm p. 2 of 4

RECEIVED
CENTRAL FAX CENTER

FEB 04 2022

Serial No.: 13/675,209
Attorney Docket No.: 2G02.1-453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 8,840,635)
Serial. No. 13/675,209) Conf. No.: 7876
Filed: November 13, 2012) Group Art Unit: 3731
For: LANCETS WITH IMPROVED COUPLING) Examiner: NGUYEN, Vi X
FEATURES AND STERILITY CAPS)

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

February 4, 2022

via Facsimile

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DIVISION

**CORRECTION OF ERROR IN SMALL ENTITY STATUS
AND PAYMENT OF DEFICIENCY ACCORDING TO 37 C.F.R. §1.28(c)**

Status as a small entity was established in good faith and small entity fees were paid in good faith. However, it has been discovered that small entity status was established in error and the fees identified below were inadvertently paid as a small entity. Accordingly, pursuant to 37 C.F.R. § 1.28(c), Applicant respectfully submits herewith an itemization of the total deficiency payment required, including (1) each particular type of fee that was erroneously paid as a small entity, (2) the current fee amount for a non-small entity, (3) the small entity fee actually paid and when, (4) the deficiency owed amount for each fee erroneously paid, and (5) the total deficiency payment owed. Applicant respectfully submits that the erroneous small entity fee payments were made without deceptive intent and respectfully requests excuse of this error.

Serial No.: 13/675,209
Attorney Docket No.: 2G02.1-453

FOR [FEE CODE]	FEE PAID	DATE OF PAYMENT	CURRENT FEE FOR NON-SMALL ENTITY	DEFICIENCY OWED
Utility filing fee (electronic filing) [4011]	\$98	11/13/2012	\$320	\$222
Utility search fee [2111]	\$310	11/13/2012	\$700	\$390
Utility Examination fee [2311]	\$125	11/13/2012	\$800	\$675
Late filing fee for oath or declaration [2051]	\$65	11/13/2012	\$160	\$95
Extension – 1 month [2251]	\$100	4/1/2014	\$220	\$120
Request for Continued Examination [2801]	\$600	4/1/2014	\$1,360	\$760
Utility appl issue fee [2501]	\$480	8/18/2014	\$1,200	\$720
Maintenance fee due at 3.5 years [2551]	\$800	9/18/2018	\$2,000	\$1,200
Surcharge - 3.5 year surcharge - late payment within 6 months [2554]	\$80	9/18/2018	\$500	\$420
			TOTAL FEES DUE:	\$4,602

The Commissioner is authorized to charge payment for the above-stated deficiency, and any additional fees due, to the credit card provided in the Credit Card Payment Form submitted herewith.

Respectfully submitted,

/Daniel S. Hong/
Daniel S. Hong
Reg. No. 77,670

Customer No. 23506
GARDNER GROFF & GREENWALD, PC
Tel: (770) 984-2300
Fax: (770) 984-0098

To: 5712738300

From: 7709840098

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2-04-22 1:05pm p. 1 of 4

FEB 04 2022

Fax

Date: 2/4/2022
To: 5712738300
From: 7709840098
Subject: Change in Entity Status (2G02.1-453)

Thank you & best regards,
Roseanne J. McCleskey
Intellectual Property Legal Assistant
[email-footer]
Gardner Groff & Greenwald, PC
1640 Powers Ferry Road
Building 4, Suite 200
Marietta, Georgia 30067
770.984.2300 Main
770.984.0098 Fax

<https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.gardnergroff.com&c=E,1,tzK4UXQeO2tH>

P5jKH-

NWYsqwnDTF_GzUb8CM8yaO1WgrDvRQB18FbjjaJIsWc2o9eBZizaiTDuFyv1JEM0vccVGVq_mdDxuM3koVZ0k
RJzus&typo=1

<https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.gardnergroff.com%2f&c=E,1,_WuCdyPv5YwFuX1ernFoN8GxqhS-0ZILt6Oy_Cv2BwWE7xIAqu2waYo8-qpjSucVeWevl5hmQ3iR-wDpcZoSCJ1sNSZ3LfBrxF4fkpBh2_B5B7mHX0q3t70rTDA&typo=1>

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	09/23/2014	8840635	2G02.1-453	7876

23506 7590 09/03/2014
GARDNER GROFF GREENWALD & VILLANUEVA, PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339

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):

Lauren R. PUSEY, Woodstock, GA;
Brian M. COLLINS, Denver, CO;
Christopher J. RUF, Marietta, GA;
Nicholas H. REAVES, Atlanta, GA;
Jonathan W. SANDERS, Portage, MI;
FACET TECHNOLOGIES, LLC, Kennesaw, GA

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.

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.

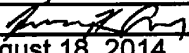
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23506 7590 06/03/2014
GARDNER GROFF GREENWALD & VILLANUEVA, PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339

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.

Bradley K. Groff	(Depositor's name)
	(Signature)
August 18, 2014	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876

TITLE OF INVENTION: LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

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	09/03/2014

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, VI X	3731	606-182000

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 GARDNER GROFF
 2 GREENWALD &
 3 VILLANUEVA, PC

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

Facet Technologies, LLC

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Kennesaw, Georgia

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)

- ☐ 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 50-1513 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

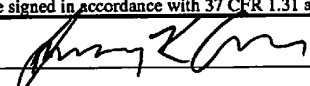
- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
☐ Applicant asserting small entity status. See 37 CFR 1.27
☐ Applicant changing to regular undiscounted fee status.

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.

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.

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 
 Typed or printed name **Bradley K. Groff**

Date **August 18, 2014**
 Registration No. **39,695**

Electronic Patent Application Fee Transmittal				
Application Number:		13675209		
Filing Date:		13-Nov-2012		
Title of Invention:		LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		
First Named Inventor/Applicant Name:		Lauren R. PUSEY		
Filer:		Bradley Groff/Roseanne Hall		
Attorney Docket Number:		2G02.1-453		
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:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	480	480
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				480

Electronic Acknowledgement Receipt	
EFS ID:	19892817
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	18-AUG-2014
Filing Date:	13-NOV-2012
Time Stamp:	16:20:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$480
RAM confirmation Number	2722
Deposit Account	501513
Authorized User	GROFF, BRADLEY K

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	19_Issue_Fee_Transmittal.pdf	108615 35b8a34a0b942a3866b9fe4cc94dc5d6a5b a91c1	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30469 506e80b1340ab11cb8eb7e51810c1facb0 911a9	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			139084		
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.					



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UNITED STATES DEPARTMENT OF COMMERCE
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NOTICE OF ALLOWANCE AND FEE(S) DUE

23506 7590 06/03/2014
GARDNER GROFF GREENWALD & VILLANUEVA, PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339

EXAMINER

NGUYEN, VI X

ART UNIT

PAPER NUMBER

3731

DATE MAILED: 06/03/2014

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876

TITLE OF INVENTION: LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

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	09/03/2014

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.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

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)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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)

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GARDNER GROFF GREENWALD & VILLANUEVA, PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339

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.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876

TITLE OF INVENTION: LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

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	09/03/2014

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, VI X	3731	606-182000

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, 1 _____
(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. 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
☐ Applicant asserting small entity status. See 37 CFR 1.27
☐ Applicant changing to regular undiscounted fee status.

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.
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.
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. _____



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876
23506 7590 06/03/2014 GARDNER GROFF GREENWALD & VILLANUEVA. PC 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339				
EXAMINER NGUYEN, VI X				
ART UNIT		PAPER NUMBER		
3731				

DATE MAILED: 06/03/2014

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. 13/675,209	Applicant(s) PUSEY ET AL.	
	Examiner Victor Nguyen	Art Unit 3731	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 Applicant's RCE filed on 4/1/14.
☐ 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 1,2,4-9 and 19-28. 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)	5. ☒ Examiner's Amendment/Comment
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____	6. ☐ Examiner's Statement of Reasons for Allowance
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	7. ☐ Other _____
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____	

/Victor Nguyen/ Primary Examiner, Art Unit 3731	
--	--

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Bradley Groff on 05/14/14.

The application has been amended as follows:

Claims 10-18 are now cancelled.

Claims 1,2,4-9, 19-28 are allowed.

This notice of allowance is responsive to applicant's amendment filed on 4/1/14. The amendment and remarks, pages 1-4, filed therein has overcome the rejection of independent claims 1, 19, 24 under 35 U.S.C. 102(b) by Gorbahn. Therefore, the rejections of the claims have been withdrawn.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **VICTOR NGUYEN** whose telephone number is (571) 272-4699. The examiner can normally be reached on M-F/8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, *please contact* the examiner's supervisor, TOM HUGHES, at (571) 272-4357. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If there are any inquiries that are not being addressed by first contacting the Examiner or the Supervisor, you may send an email inquiry to

TC3700_Workgroup_D_Inquiries@uspto.gov.

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.

/Victor Nguyen/
Primary Examiner, Art Unit 3731



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BIB DATA SHEET

CONFIRMATION NO. 7876

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
13/675,209	11/13/2012	606	3731	2G02.1-453		
RULE						
APPLICANTS FACET TECHNOLOGIES, LLC, Kennesaw, GA INVENTORS Lauren R. PUSEY, Woodstock, GA; Brian M. COLLINS, Denver, CO; Christopher J. RUF, Marietta, GA; Nicholas H. REAVES, Atlanta, GA; Jonathan W. SANDERS, Portage, MI; ** CONTINUING DATA ***** This application is a DIV of 13/293,409 11/10/2011 which is a DIV of 12/510,701 07/28/2009 ABN which claims benefit of 61/084,456 07/29/2008 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 12/04/2012						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and / Victor Nguyen / Acknowledged Examiner's Signature		☐ Met after Allowance VN Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
			GA	9	18	2
ADDRESS						
GARDNER GROFF GREENWALD & VILLANUEVA. PC 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339 UNITED STATES						
TITLE						
LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS						
FILING FEE RECEIVED 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						

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	4	(sheath) and (grip\$4 with handle)AND (cap)and (lancet).clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/16 10:00
S1	8	"510701".ap.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 15:40
S2	8	pusey with lauren.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 16:51
S3	897	606/181.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:16
S4	640	S3 and @pd<"20080729"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:17
S5	92	S4 and (coupling with member)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:17
S6	0	S5 and d-shaped	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:18
S7	75	S5 and resilient	US-PGPUB;	OR	ON	2011/11/16 17:18

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT			
S8	2	"2007185515"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:42
S9	4	"2007130830"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:43
S10	4	"2006052809"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:44
S11	5	"2007097283"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:45
S12	2	"2007185515"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:45
S13	2	"20090143810"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:58
S14	3	"20080119883"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 12:15
S15	2	"7322996".pn.	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 12:16

S16	39	("1135465" | "1487791" | "20020004196" | "20020040230" | "20030109895" | "4360016" | "4388925" | "4416279" | "4503856" | "4527561" | "4627445" | "4794926" | "4858607" | "4924879" | "4976724" | "5318584" | "5324303" | "5356420" | "5368047" | "5439473" | "5554166" | "5569287" | "5613978" | "5628765" | "5730753" | "5741288" | "5755733" | "5857983" | "5916230" | "5951582" | "5971941" | "6042595" | "6045567" | "6306152" | "6364890" | "6602268" | "6866641").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/11/18 12:47
S17	6	"293409".ap.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 09:27
S18	2	"5755733".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:42
S19	2	"6602268".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:46
S20	2	(lancet) and (curved near2 contour) and (trough) and (crest)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:48
S21	19	(lancet) and (curved near2 contour)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:48
S22	3	S21 and crest	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:49
S23	88	(lancet) and (trough) and (crest)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:50
S24	47	S23 and (disc or flange)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:51

S25	7	S24 and contour	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:51
S26	3	"4858607".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 11:28
S27	3	"4858607".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:03
S28	3	(lancet with body) and (curved with wave) and (contour)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:26
S29	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:37
S30	9	"675209".ap.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:27
S31	76	("20030109895" | "20040059365" | "20060052809" | "20070083222" | "2839056" | "3358689" | "4577630" | "4858607" | "4889117" | "4990154" | "5314442" | "5324303" | "5385571" | "5454828" | "5569286" | "5755733" | "5868772" | "6299626" | "6322574" | "6589261" | "6723111" | "6945982" | "7150755" | "7357808" | "7655017" | "7670301" | "7955347" | "7955348" | "D445183" | "D484244" | "D493527" | "D533943" | "D535397" | "D562980" | "D567944" | "D570478" | "D581046" | "D586465" | "D586916").PN.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:43
S32	67	S31 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:43
S33	1	S32 and sheath	US- PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/20 08:44

			DERWENT			
S34	69	("3030959" | "3358689" | "4375815" | "4379456" | "4388925" | "4414975" | "4416279" | "4442836" | "4449529" | "4452243" | "4462405" | "4469110" | "4503856" | "4514609" | "4517978" | "4527561" | "4535769" | "4539988" | "4545376" | "4553541" | "4577630" | "4580564" | "4580565" | "4610667" | "4616649" | "4624253" | "4648408" | "4653513" | "4658821" | "4676244" | "4677979" | "4712548" | "4715374" | "4735203" | "4738261" | "4794926" | "4817603" | "4844095" | "4856515" | "4858607" | "4869249" | "4889117" | "4892097" | "4924879" | "4976724" | "4990154" | "4994068" | "4995402" | "5026388" | "5047044" | "5074872" | "5100427" | "5105823" | "5133730" | "5147375" | "5207699" | "5314442" | "5356420" | "5366469" | "5366470" | "5397334" | "5439473" | "5487748" | "5514152" | "5527334" | "5554166" | "Re32922").PN.	US- PGPUB; USPAT; USOCR	OR	ON	2013/06/20 08:50
S35	159	("5755733").URPN.	USPAT	OR	ON	2013/06/20 08:57
S36	3	"4994068".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:05
S37	3	"3358689".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:06
S38	13	pusey with lauren.in.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:06
S39	1491	606/181,182.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:09
S40	922	S39 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:09
S41	0	S40 and (sheath) and (open with loop)	US- PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/20 09:10

			DERWENT			
S42	25	S40 and (sheath)and (handle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:10
S43	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:20
S44	3	(primary with sheath) and (secondary with sheath) and (handle with loop) and (sharp with tip) and (needle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:25
S45	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/11 10:31
S46	7	"293409".ap.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/11 10:43
S47	7	"293409".ap.	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2013/09/30 14:05
S48	7	(lancet with body) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/30 15:10
S49	4	(lancet with body) and (trough) and (crest)and (holder or receiver)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/30 15:15
S50	8	(hollow with needle) and (curved with way) and (contour) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:43
S51	3	(lancet with body) and (curved with wave) and (contour) and (holder or receiver)	US- PGPUB; USPAT; USOCR;	OR	ON	2013/10/01 08:46

			EPO; JPO; DERWENT			
S52	77	("20030109895" | "20080065132" | "4990154" | "7670301" | "D445183" | "4577630" | "5569286" | "D567944" | "4889117" | "5385571" | "6723111" | "7357808" | "D535397" | "20070185515" | "4858607" | "6322574" | "D484244" | "20040059365" | "D586465" | "2839056" | "3358689" | "5314442" | "5868772" | "D533943" | "D562980" | "20060052809" | "5454828" | "5755733" | "7150755" | "7655017" | "D493527" | "D581046" | "4858607" | "6299626" | "5755733" | "20070083222" | "5324303" | "6589261" | "6945982" | "D570478" | "D586916").PN.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:47
S53	70	S52 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:48
S54	0	S53 and (curved with wave)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:48
S55	2	S53 and (trough)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:49
S56	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 09:13
S57	3	"4994068".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/11/27 11:31
S58	18	("2117469" | "2627269" | "2642065" | "2851036" | "3221739" | "3358689" | "3680559" | "4243035" | "4375815" | "4635633" | "4712548" | "4915697").PN.	US- PGPUB; USPAT; USOCR	OR	ON	2013/11/27 11:31
S59	11	"510701".ap.	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2014/04/11 14:40
S60	2	"20060052809"	US- PGPUB; USPAT; USOCR;	OR	ON	2014/04/11 14:54

			EPO; JPO; DERWENT			
S61	80	("20030109895" | "20080065132" | "4990154" | "7670301" | "D445183" | "4577630" | "5569286" | "D567944" | "4889117" | "5385571" | "6723111" | "7357808" | "D535397" | "20060052809" | "20070185515" | "4858607" | "6322574" | "D484244" | "20040059365" | "D586465" | "2839056" | "3358689" | "5314442" | "5868772" | "D533943" | "D562980" | "20060052809" | "5454828" | "5755733" | "7150755" | "7655017" | "D493527" | "D581046" | "4858607" | "6299626" | "5755733" | "20070083222" | "5324303" | "6589261" | "6945982" | "D570478" | "D586916").PN.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/11 15:04
S62	70	S61 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/11 15:05
S63	1	S62 and trough and crest	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/11 15:06
S64	8	("4677979" | "4991827" | "5147375" | "5395387" | "5439473" | "5540709" | "6062548" | "6113620").PN.	US- PGPUB; USPAT; USOCR	OR	ON	2014/04/11 15:07
S65	17	("6299626").URPN.	USPAT	OR	ON	2014/04/11 15:09
S66	4705	606/167,181,182.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/11 15:13
S67	3052	S66 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/11 15:13
S68	9	S67 and trough and crest	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/11 15:14
S69	2	"20120215241"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 07:50
S70	3	"20120150226"	US-	OR	ON	2014/04/16

			PGPUB; USPAT; USOCR; EPO; JPO; DERWENT			07:50
S71	2	"20120221102"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 07:52
S72	2998	606/232.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 08:04
S73	41	S72 and (swivel with anchor) and (knotless)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 08:04
S74	401	623/6.12.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 08:08
S75	271	S74 and (intraocular with lens) and (insertion)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 08:11
S76	49	S75 and convex and haptics	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/16 08:13
S77	3328	600/573,583.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/20 17:18
S78	2017	S77 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/20 17:19
S79	0	S78 and (lancet with receiver) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/20 17:20
S80	7	S78 and (lancet with receiver)	US-	OR	ON	2014/04/20

			PGPUB; USPAT; USOCR; EPO; JPO; DERWENT			17:20
S81	2	(lancet with receiver) and (coupling with portion) and (trough) and (crest).clm.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/04/20 19:08
S82	9	"675209".ap.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:18
S83	4	"3680559".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:19
S84	88	("20030109895" | "4990154" | "7670301" | "D445183" | "4577630" | "5569286" | "D567944" | "4889117" | "5385571" | "6723111" | "7357808" | "D535397" | "4858607" | "6299626" | "6322574" | "D484244" | "20040059365" | "7955347" | "D586465" | "2839056" | "3358689" | "5314442" | "5868772" | "D533943" | "D562980" | "20060052809" | "5454828" | "5755733" | "7150755" | "7655017" | "7955348" | "D493527" | "D581046" | "5755733" | "20070083222" | "5324303" | "6589261" | "6945982" | "D570478" | "D586916" | "4994068" | "3680559").PN.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:43
S85	76	S84 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:43
S86	3	S85 and sheath	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:44
S87	69	("3030959" | "3358689" | "4375815" | "4379456" | "4388925" | "4414975" | "4416279" | "4442836" | "4449529" | "4452243" | "4462405" | "4469110" | "4503856" | "4514609" | "4517978" | "4527561" | "4535769" | "4539988" | "4545376" | "4553541" | "4577630" | "4580564" | "4580565" | "4610667" | "4616649" | "4624253" | "4648408" | "4653513" | "4658821" | "4676244" | "4677979" | "4712548" | "4715374" | "4735203" | "4738261" | "4794926" | "4817603" | "4844095" | "4856515" |	US- PGPUB; USPAT; USOCR	OR	ON	2014/05/14 08:44

		"4858607" | "4869249" | "4889117" | "4892097" | "4924879" | "4976724" | "4990154" | "4994068" | "4995402" | "5026388" | "5047044" | "5074872" | "5100427" | "5105823" | "5133730" | "5147375" | "5207699" | "5314442" | "5356420" | "5366469" | "5366470" | "5397334" | "5439473" | "5487748" | "5514152" | "5527334" | "5554166" | "Re32922").PN.				
S88	184	("5755733").URPN.	USPAT	OR	ON	2014/05/14 08:52
S89	1950	606/181,182.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:58
S90	1156	S89 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:58
S91	0	S85 and (sheaths) and (grip\$4 with handle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:59
S92	0	S85 and (sheath) and (grip\$4 with handle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:59
S93	3	S85 and (sheath)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 08:59
S94	1	S85 and (grip\$4 with handle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:00
S95	44	S90 and (grip\$4 with handle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:00
S96	44	S95 and handle	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:00

EAST Search History

S97	599	A61B17/32093.CPC.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:06
S98	358	S97 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:06
S99	28	S98 and (sheath)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:06
S100	3951	A61B5/1411.CPC.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:08
S101	1997	S100 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:08
S102	80	S101 and (sheath)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:08
S103	16	S102 and handle	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/14 09:09

EAST Search History (Interference)

< This search history is empty >

5/ 16/ 2014 10:02:14 AM**C:\ Users\ vnguyen10\ Documents\ EAST\ Workspaces\ 12510701.wsp**

Issue Classification 	Application/Control No. 13675209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.	
	Examiner VICTOR NGUYEN	Art Unit 3731	

CPC					
Symbol				Type	Version

CPC Combination Sets						
Symbol			Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
		18	
(Assistant Examiner)	(Date)		
/VICTOR NGUYEN/	5/16/14	O.G. Print Claim(s)	O.G. Print Figure
Primary Examiner.Art Unit 3731		1	5A
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 13675209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.
	Examiner VICTOR NGUYEN	Art Unit 3731

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION														
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED									
606			182			A	6	1	B	17 / 14 (2006.01.01)										
CROSS REFERENCE(S)																				
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																			

NONE		Total Claims Allowed:	
		18	
(Assistant Examiner) /VICTOR NGUYEN/ Primary Examiner.Art Unit 3731 (Primary Examiner)	(Date) 5/16/14 (Date)	O.G. Print Claim(s)	O.G. Print Figure
		1	5A

Issue Classification 	Application/Control No. 13675209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.
	Examiner VICTOR NGUYEN	Art Unit 3731

☐ 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	17	27												
2	2	18	28												
3	4														
4	5														
5	6														
6	7														
7	8														
8	9														
9	19														
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13	23														
14	24														
15	25														
16	26														

NONE		Total Claims Allowed:	
		18	
(Assistant Examiner) /VICTOR NGUYEN/ Primary Examiner.Art Unit 3731 (Primary Examiner)	(Date) 5/16/14 (Date)	O.G. Print Claim(s)	O.G. Print Figure
		1	5A

U.S. Patent and Trademark Office

Part of Paper No. 20140516

Search Notes 	Application/Control No. 13675209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.
	Examiner VICTOR NGUYEN	Art Unit 3731

CPC- SEARCHED		
Symbol	Date	Examiner
A61B17/32093; A61B5/1411	5/14/14	VN

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
606	181,182	6/20/13	VN
600	573,583	6/20/13	VN
606	181,182	5/14/14	VN

SEARCH NOTES		
Search Notes	Date	Examiner
Searched history related to 12/510701. Update previous searched. See attached searched history	6/24/13	VN
Update previous searched. See attached searched history	11/27/13	VN
Update previous searched. See attached searched history	5/14/14	VN

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
See attached interference searched		5/14/14	VN

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Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

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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REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL (Submitted Only via EFS-Web)							
Application Number	13675209	Filing Date	2012-11-13	Docket Number (if applicable)	2G02.1-453	Art Unit	3731
First Named Inventor	PUSEY et al.			Examiner Name	NGUYEN, Vi X.		
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 501513							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED							
☒ Patent Practitioner Signature							
☐ Applicant Signature							

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

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.

Signature of Registered U.S. Patent Practitioner			
Signature	/Bradley K. Groff/	Date (YYYY-MM-DD)	2014-04-01
Name	Bradley K. Groff	Registration Number	39695

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.

Electronic Patent Application Fee Transmittal				
Application Number:		13675209		
Filing Date:		13-Nov-2012		
Title of Invention:		LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		
First Named Inventor/Applicant Name:		Lauren R. PUSEY		
Filer:		Bradley Groff/Roseanne Hall		
Attorney Docket Number:		2G02.1-453		
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:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	100	100

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				700

Electronic Acknowledgement Receipt	
EFS ID:	18639482
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	01-APR-2014
Filing Date:	13-NOV-2012
Time Stamp:	13:59:58
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$700
RAM confirmation Number	210
Deposit Account	501513
Authorized User	GROFF, BRADLEY K

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		15_Resp_After_Final_to_Final_OA_Mailed_12062013.pdf	372412 eb7074a382138f5223747e4ce26307fca4db7a87	yes	8
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Response After Final Action		1	1	
	Claims		2	4	
	Applicant Arguments/Remarks Made in an Amendment		5	8	
Warnings:					
Information:					
2	Extension of Time	17_1_Mo_EOT.pdf	73182 dc381c9605a8bdb65ee3e3b2a624463143f8888c	no	1
Warnings:					
Information:					
3	Request for Continued Examination (RCE)	16_RCE.pdf	697844 bc6dd9e1d9007bfa75f696231225bf7f4ab85745	no	3
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	32366 a16bee4ddd9d7803cd7438ab2ae8f328a3a0e850	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1175804		

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.

Atty. Docket No.: 2G02.1-453
Serial No.: 13/675,209
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: PUSEY et al.	)
	) Group Art Unit: 3731
Serial No.: 13/675,209	)
	) Examiner: NGUYEN, Vi X.
Filed: November 13, 2012	)
	) Conf. No.: 7876
For: LANCETS WITH IMPROVED	)
COUPLING FEATURES AND	)
STERILITY CAPS	)
_____	)

RESPONSE AFTER FINAL

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

April 1, 2014

Filed Electronically

In response to the Final Office Action mailed December 6, 2013, please consider the remarks below. This Response is filed with a one-month extension-of-time request and a Request for Continued Examination, and the requisite fees. In the event that any further extension of time is required, please consider this a request therefor. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

CLAIM AMENDMENTS

Please amend the claims (~~strike through~~ indicating deletion and underline indicating insertion) as follows:

1. (currently amended) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending between the primary sheath and the secondary sheath, with the primary sheath attached at a first end of the gripping handle portion and the secondary sheath attached at a second end of the gripping handle portion when the protective sterility cap is removed from the lancet.
2. (original) The protective sterility cap of Claim 1, in combination with a lancet.
3. (cancelled)
4. (original) The protective sterility cap of Claim 1, further comprising at least one flat display surface for placement of branding indicia thereon.
5. (original) The protective sterility cap of Claim 1, wherein the gripping handle portion comprises at least one open loop.
6. (original) The protective sterility cap of Claim 1, wherein the gripping handle portion comprises a solid body without an open loop.
7. (original) The protective sterility cap of Claim 1, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.
8. (original) The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to its lateral span.

9. (original) The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

10-18. (withdrawn)

19. (currently amended) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending between the primary sheath and the secondary sheath, with the primary sheath attached at a first end of the gripping handle portion and the secondary sheath attached at a second end of the gripping handle portion when the protective sterility cap is removed from the lancet, and wherein the gripping handle portion comprises at least one open loop.

20. (previously presented) The protective sterility cap of Claim 19, further comprising at least one flat display surface for placement of branding indicia thereon.

21. (previously presented) The protective sterility cap of Claim 19, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.

22. (previously presented) The protective sterility cap of Claim 21, wherein the gripping handle portion defines a length at least equal to its lateral span.

23. (previously presented) The protective sterility cap of Claim 21, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

24. (currently amended) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending between the primary sheath and the secondary sheath, with the primary sheath attached at a first end of the gripping handle portion and the secondary sheath attached at a second end of the gripping handle portion when the protective sterility cap is removed from the lancet, said protective sterility cap being in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.
25. (previously presented) The protective sterility cap of Claim 24, wherein the gripping handle portion comprises at least one open loop.
26. (previously presented) The protective sterility cap of Claim 24, further comprising at least one flat display surface for placement of branding indicia thereon.
27. (previously presented) The protective sterility cap of Claim 24, wherein the gripping handle portion defines a length at least equal to its lateral span.
28. (previously presented) The protective sterility cap of Claim 24, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

REMARKS

The Final Office Action mailed December 6, 2013 has been received and reviewed. Claims 1, 19 and 24 are amended. No new matter is introduced.

35 U.S.C. § 102

Claims 1, 2 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,680,559 to Gorbahn. Applicant traverses this ground of rejection and requests reconsideration in view of the following remarks and the amendment submitted herewith.

In order to properly support a rejection for anticipation under 35 U.S.C. §102, each and every element of the claimed invention must be shown to be present in a single cited reference. See M.P.E.P. §2131. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The Gorbahn reference does not disclose every element of the presently claimed invention, and as such, the §102 rejection cannot be properly maintained.

Claim 1 (and Claims 2 and 4-9 depending therefrom) is directed to a protective sterility cap for a lancet having a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending between the primary sheath and the secondary sheath. The Examiner asserts that Gorbahn discloses a secondary sheath (combination of elements 1, 11) for receiving the sharp lancing tip of a used lancet. This characterization is not supported by the Gorbahn reference. Gorbahn merely discloses a swab 1 and a sheet 11 that are removably connected to the plate 6 at the top portion of the syringe cylinder 5 (see Gorbahn, col. 2, lines 30, 39-52).

Specifically, the swab 1 and sheet 11 are intended to be removed from the syringe cylinder 5 wherein the sheet 11 forms a part of shielding means to restrain evaporation of the solution from the swab 1, and the swab 1 facilitates the necessary pre-injection dabbing of the skin, both of which are not intended to receive the sharp lancing tip of a used lancet (see Gorbahn, col. 1, lines 61-63, col. 2, lines 47-48, col. 3, lines 7-9). In fact, Gorbahn does not disclose or suggest any type of sheath for containing the needle 3 after its use. Indeed, Gorbahn discloses sheath 4 for protecting the hypodermic needle 3 prior to its use, but does not disclose or suggest protecting the needle after its use.

In addition, as presently amended, the claims recite that “the primary sheath [is] attached at a first end of the gripping handle portion and the secondary sheath [is] attached at a second end of the gripping handle portion when the protective sterility cap is removed from the lancet.” As seen with reference to the example embodiment below, the primary sheath portion 512 is attached at one end of the gripping handle portion 516, and the secondary sheath portion 514 is attached at the other end, when the cap is removed from the lancet.

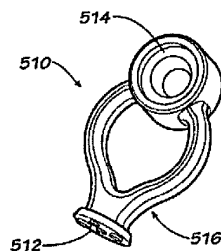


FIG. 5A

Figure 5A of the Present Application

The Gorbahn reference, even as applied by the Examiner, does not disclose or suggest this claimed combination of features. Even if element 4 of Gorbahn is considered a primary sheath and elements 1 and 11 are considered a secondary sheath, there is no intermediate “handle portion” to which each are attached when the cap is removed from

the lancet, since Gohrbahn's sheath 4 and swab 1 / sheet 11 are removed separately, and not connected to one another at all after they are removed.

35 U.S.C. § 103

Claims 5, 7-9 and 19-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,680,559 to Gorbahn. Applicant respectfully traverses and requests reconsideration.

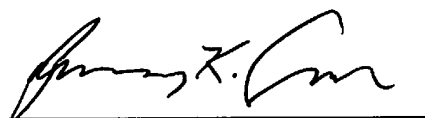
Claims 19 and 24 (and Claims 20-23 and 25-28 depending therefrom, respectfully) recite similar elements to those of Claim 1 as described above, including a secondary sheath for receiving the sharp lancing tip of a used lancet, and that "the primary sheath [is] attached at a first end of the gripping handle portion and the secondary sheath [is] attached at a second end of the gripping handle portion when the protective sterility cap is removed from the lancet." Additionally, Claims 5, 7-9, 20-23 and 25-28 depend from Claims 1, 19 and 24 respectfully, which for the reasons above are shown to recite limitations not present in Gorbahn. Thus, at least by virtue of their dependence from an allowable independent claim, dependent Claims 5, 7-9, 20-23 and 25-28 are believed to also define patentable subject matter.

Accordingly, Gorbahn does not disclose or suggest Applicant's presently claimed invention, and the §103 rejection must be withdrawn.

CONCLUSION

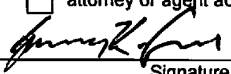
In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



Bradley K. Groff
Reg. No. 39,695

Customer No. 23506
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GREENWALD & VILLANUEVA, PC
Tel: (770) 984-2300
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 2G02.1-453																														
Application Number 13/675,209	Filed November 13, 2012																															
For LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS																																
Art Unit 3731	Examiner NGUYEN, Vi X.																															
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th></th><th style="text-align: center;">Fee</th><th style="text-align: center;">Small Entity Fee</th><th style="text-align: center;">Micro Entity Fee</th><th></th></tr></thead><tbody><tr><td>☒ One month (37 CFR 1.17(a)(1))</td><td style="text-align: center;">\$200</td><td style="text-align: center;">\$100</td><td style="text-align: center;">\$50</td><td style="text-align: right;">\$ <u>100</u></td></tr><tr><td>☐ Two months (37 CFR 1.17(a)(2))</td><td style="text-align: center;">\$600</td><td style="text-align: center;">\$300</td><td style="text-align: center;">\$150</td><td style="text-align: right;">\$ _____</td></tr><tr><td>☐ Three months (37 CFR 1.17(a)(3))</td><td style="text-align: center;">\$1,400</td><td style="text-align: center;">\$700</td><td style="text-align: center;">\$350</td><td style="text-align: right;">\$ _____</td></tr><tr><td>☐ Four months (37 CFR 1.17(a)(4))</td><td style="text-align: center;">\$2,200</td><td style="text-align: center;">\$1,100</td><td style="text-align: center;">\$550</td><td style="text-align: right;">\$ _____</td></tr><tr><td>☐ Five months (37 CFR 1.17(a)(5))</td><td style="text-align: center;">\$3,000</td><td style="text-align: center;">\$1,500</td><td style="text-align: center;">\$750</td><td style="text-align: right;">\$ _____</td></tr></tbody></table> ☒ Applicant asserts small entity status. See 37 CFR 1.27. ☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. ☐ A check in the amount of the fee is enclosed. ☒ Payment by credit card. Form PTO-2038 is attached. ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-1513</u>. ☒ Payment made via EFS-Web. 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. I am the ☐ applicant. ☒ attorney or agent of record. Registration number <u>39,695</u> ☐ attorney or agent acting under 37 CFR 1.34. Registration number _____  _____ Signature Bradley K. Groff Typed or printed name <u>April 1, 2014</u> Date <u>(770) 984-2300</u> Telephone Number NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.				Fee	Small Entity Fee	Micro Entity Fee		☒ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ <u>100</u>	☐ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____	☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____	☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____
	Fee	Small Entity Fee	Micro Entity Fee																													
☒ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ <u>100</u>																												
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☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____																												
☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																												
☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																												
☐ * Total of _____ forms are submitted.																																

This collection of information is required by 37 CFR 1.136(a). 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 6 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: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 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.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 13/675,209		Filing Date 11/13/2012		☐ To be Mailed			
ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO												
APPLICATION AS FILED – PART I												
(Column 1)			(Column 2)									
FOR		NUMBER FILED		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												
(Column 1)			(Column 2)			(Column 3)						
AMENDMENT	04/01/2014		CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		* 18		Minus	** 20	= 0		x \$40 =		0	
	Independent (37 CFR 1.16(h))		* 3		Minus	***3	= 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				
(Column 1)			(Column 2)			(Column 3)						
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	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.												

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.**

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876
23506 7590 12/06/2013 GARDNER GROFF GREENWALD & VILLANUEVA. PC 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339			EXAMINER NGUYEN, VI X	
			ART UNIT 3731	PAPER NUMBER
			NOTIFICATION DATE 12/06/2013	DELIVERY MODE 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@gardnergroff.com

Office Action Summary	Application No. 13/675,209	Applicant(s) PUSEY ET AL.	
	Examiner Victor Nguyen	Art Unit 3731	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 9/25/13.
☐ 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) 1,2,4-9 and 19-28 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) 1,2,4-9 and 19-28 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 ____ 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 ____.

3) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.

4) ☐ Other: ____.

DETAILED ACTION

1. This Office Action is in response to the Amendment filed on 09/25/13.

Claim 1 has been amended. Claims 19-28 are newly added claims. Claims 1-2, 4-9, 19-28 are pending in this present application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 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, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Gorbahn U.S. 3,680,559.

Claim 1: Gorbahn discloses a protective sterility cap for a lancet as best seen in figures 1-2, said sterility cap comprising a primary sheath 4 for initial embedment of a sharp lancing tip 3 of an unused lancet therein, a secondary sheath (combination of elements 1, 11) for receiving the sharp lancing tip of a used lancet, and a gripping handle (the area of 2/5/13) portion extending between the primary sheath and the secondary sheath.

Claims 2, 4 : Gorbahn discloses in combination with a lancet (the sharp area of 3); further comprising at least one flat display surface for placement of branding indicia thereon fig. 1.

Claim Rejections - 35 USC § 103

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

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

Claims 7-9,21,24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbahn .

Claims 7, 21, 24: Gorbahn discloses the invention substantially as claimed (see claim 1 above) but is silent regarding the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness. It would have been obvious to modify the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re. Aller, 220F, 2d 454, 105 USPQ 233

Claims 8-9,26,27, 28: Gorbahn discloses wherein the gripping handle portion 2/5/13 defines a length at least equal to its lateral span; wherein the gripping handle portion defines a length at least equal to the lancet thickness, wherein atleast one flat display surface (the area of 5) for placement of branding indicia thereon as best seen in fig. 1

Claims 5, 19-23, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbahn .

Claims 5, 19, 25: Gorbahn discloses the invention substantially as claimed (see claim 1 above) but is silent regarding the gripping handle comprises one open loop. It would have been to one ordinary skilled in the art at the time the invention was made to construct the device is having the gripping handle comprises one open loop, since the applicant has not disclosed that doing so solves any stated problem or is anything more than selecting one of numerous shapes or configurations a person ordinary skill in the art would find available to substitute with the device is having the gripping handle comprises one open loop which would provide the function in substantially the same manner as the applicant's device, and would not function differently if a different shape were used.

Claims 20, 22-23: Gorbahn discloses wherein the gripping handle portion 2/5/13 defines a length at least equal to its lateral span; wherein the gripping handle portion defines a length at least equal to the lancet thickness, wherein atleast one flat display surface (the area of 5) for placement of branding indicia thereon as best seen in fig. 1

Response to Arguments

4. Applicant's arguments filed on 9/25/13 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Conclusion

5. 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 **VICTOR NGUYEN** whose telephone number is (571) 272-4699. The examiner can normally be reached on M-F/8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, *please contact* the examiner's supervisor, TOM HUGHES, at (571) 272-4357. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If there are any inquiries that are not being addressed by first contacting the Examiner or the Supervisor, you may send an email inquiry to

TC3700_Workgroup_D_Inquiries@uspto.gov.

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.

/Victor Nguyen/
Primary Examiner, Art Unit 3731

Notice of References Cited	Application/Control No. 13/675,209		Applicant(s)/Patent Under Reexamination PUSEY ET AL.	
	Examiner Victor Nguyen		Art Unit 3731	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-3,680,559	08-1972	Gorbahn, Fritz	604/193
	B	US-			
	C	US-			
	D	US-			
	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	8	"510701".ap.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 15:40
S2	8	pusey with lauren.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 16:51
S3	897	606/181.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:16
S4	640	S3 and @pd<"20080729"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:17
S5	92	S4 and (coupling with member)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:17
S6	0	S5 and d-shaped	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:18
S7	75	S5 and resilient	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:18
S8	2	"2007185515"	US-	OR	ON	2011/11/18

			PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT			10:42
S9	4	"2007130830"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:43
S10	4	"2006052809"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:44
S11	5	"2007097283"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:45
S12	2	"2007185515"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:45
S13	2	"20090143810"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 10:58
S14	3	"20080119883"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 12:15
S15	2	"7322996".pn.	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18 12:16
S16	39	("1135465" | "1487791" | "20020004196" | "20020040230" | "20030109895" | "4360016" | "4388925" | "4416279" | "4503856" | "4527561" | "4627445" | "4794926" | "4858607" | "4924879" | "4976724" | "5318584" | "5324303" |	US- PGPUB; USPAT; USOCR	OR	ON	2011/11/18 12:47

		"5356420" | "5368047" | "5439473" | "5554166" | "5569287" | "5613978" | "5628765" | "5730753" | "5741288" | "5755733" | "5857983" | "5916230" | "5951582" | "5971941" | "6042595" | "6045567" | "6306152" | "6364890" | "6602268" | "6866641").PN.				
S17	6	"293409".ap.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 09:27
S18	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:42
S19	2	"6602268".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:46
S20	2	(lancet) and (curved near2 contour) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:48
S21	19	(lancet) and (curved near2 contour)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:48
S22	3	S21 and crest	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:49
S23	88	(lancet) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:50
S24	47	S23 and (disc or flange)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:51
S25	7	S24 and contour	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:51

S26	3	"4858607".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 11:28
S27	3	"4858607".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:03
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S30	9	"675209".ap.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:27
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S35	159	("5755733").URPN.	USPAT	OR	ON	2013/06/20 08:57
S36	3	"4994068".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:05
S37	3	"3358689".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:06
S38	13	pusey with lauren.in.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:06
S39	1491	606/181,182.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:09
S40	922	S39 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:09
S41	0	S40 and (sheath) and (open with loop)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:10
S42	25	S40 and (sheath)and (handle)	US- PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/20 09:10

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S43	2	"5755733".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:20
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S46	7	"293409".ap.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/11 10:43
S47	7	"293409".ap.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2013/09/30 14:05
S48	7	(lancet with body) and (trough) and (crest)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/30 15:10
S49	4	(lancet with body) and (trough) and (crest)and (holder or receiver)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/09/30 15:15
S50	8	(hollow with needle) and (curved with way) and (contour) and (trough) and (crest)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:43
S51	3	(lancet with body) and (curved with wave) and (contour) and (holder or receiver)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:46
S52	77	("20030109895" "20080065132" "4990154" "7670301" "D445183" "4577630" "5569286" "D567944" "4889117" "5385571" "6723111"	US-PGPUB; USPAT; USOCR;	OR	ON	2013/10/01 08:47

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S55	2	S53 and (trough)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 08:49
S56	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/10/01 09:13
S57	3	"4994068".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/11/27 11:31
S58	18	("2117469" "2627269" "2642065" "2851036" "3221739" "3358689" "3680559" "4243035" "4375815" "4635633" "4712548" "4915697").PN.	US- PGPUB; USPAT; USOCR	OR	ON	2013/11/27 11:31

EAST Search History (Interference)

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11/ 29/ 2013 3:41:37 PM**C:\ Users\ vnguyen10\ Documents\ EAST\ Workspaces\ 12510701.wsp**

Search Notes 	Application/Control No. 13675209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.
	Examiner VICTOR NGUYEN	Art Unit 3731

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
606	181,182	6/20/13	VN
600	573,583	6/20/13	VN

SEARCH NOTES		
Search Notes	Date	Examiner
Searched history related to 12/510701. Update previous searched. See attached searched history	6/24/13	VN
Update previous searched. See attached searched history	11/27/13	VN

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: PUSEY et al.	)	
	)	Group Art Unit: 3731
Serial No.: 13/675,209	)	
	)	Examiner: NGUYEN, Vi X.
Filed: November 13, 2012	)	
	)	Conf. No.: 7876
For: LANCETS WITH IMPROVED	)	
COUPLING FEATURES AND	)	
STERILITY CAPS	)	

RESPONSE AND AMENDMENT

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

September 25, 2013

Filed Electronically

Sir:

In response to the Office Action mailed July 1, 2013, please amend the above-referenced application as follows and consider the remarks below. This Response is believed to be timely. However, in the event that any extension of time is required, please consider this a request therefor. The Commissioner is authorized to charge any fees due or credit any overpayment to Deposit Account 50-1513.

CLAIM AMENDMENTS

Please amend the claims (~~strikethrough~~ indicating deletion and underline indicating insertion) as follows:

1. (currently amended) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending ~~from~~between the primary sheath and the secondary sheath.
2. (original) The protective sterility cap of Claim 1, in combination with a lancet.
3. (cancelled)
4. (original) The protective sterility cap of Claim 1, further comprising at least one flat display surface for placement of branding indicia thereon.
5. (original) The protective sterility cap of Claim 1, wherein the gripping handle portion comprises at least one open loop.
6. (original) The protective sterility cap of Claim 1, wherein the gripping handle portion comprises a solid body without an open loop.
7. (original) The protective sterility cap of Claim 1, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.
8. (original) The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to its lateral span.
9. (original) The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

10-18. (withdrawn)

19. (new) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending between the primary sheath and the secondary sheath, wherein the gripping handle portion comprises at least one open loop.

20. (new) The protective sterility cap of Claim 19, further comprising at least one flat display surface for placement of branding indicia thereon.

21. (new) The protective sterility cap of Claim 19, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.

22. (new) The protective sterility cap of Claim 21, wherein the gripping handle portion defines a length at least equal to its lateral span.

23. (new) The protective sterility cap of Claim 21, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

24. (new) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, a secondary sheath for receiving the sharp lancing tip of a used lancet, and a gripping handle portion extending between the primary sheath and the secondary sheath, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.

- 25. (new) The protective sterility cap of Claim 24, wherein the gripping handle portion comprises at least one open loop.
- 26. (new) The protective sterility cap of Claim 24, further comprising at least one flat display surface for placement of branding indicia thereon.
- 27. (new) The protective sterility cap of Claim 24, wherein the gripping handle portion defines a length at least equal to its lateral span.
- 28. (new) The protective sterility cap of Claim 24, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

REMARKS

The Office Action mailed July 1, 2013 has been received and reviewed. By the present Response and Amendment, Claim 1 is amended, Claim 3 is cancelled, and new Claims 19-28 are presented. No new matter is introduced.

Claims 1, 2, 4-9 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 4,994,068 to Hufnagle. Claims 1-5 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,755,733 to Morita. Applicant requests reconsideration of these grounds of rejection in view of the present amendments.

As presently amended, Claim 1 recites that the protective sterility cap for a lancet includes a secondary sheath for receiving the sharp lancing tip of a used lancet, and wherein the gripping handle portion extends between the primary sheath and the secondary sheath. Neither Hufnagle nor Morita disclose or suggest a cap as presently claimed.

Instead, Hufnagle describes a combination sterile pad support and lancet comprising a support member 10 that provides for removable engagement with a lancet 12 having a removable protective cover 13 for covering a pointed end 15 of the lancet needle prior to use (see Hufnagle, col. 2, lines 56-58, col. 3, lines 37-39). The lancet 12 is supported in a cylinder 18 of the support member 10, and the end of the cylinder 18 is provided with a centrally positioned depression 21 of a size adapted to receive the pointed end 15 of the lancet 12 after use (see Hufnagle, col. 3, lines 4-10). Hufnagle does not disclose or suggest that the protective cover 13 includes a secondary sheath, which can clearly be understood by the disclosure of the centrally positioned depression 21 formed in the end of the cylinder 18. Furthermore, the protective cover 13 and the support member 10 (comprising the depression 21) are two entirely separate components, thus, it is impossible for a gripping handle portion to extend between the protective cover 13 and the support member 10.

Morita describes a lancet assembly comprising a lancet structure 14 and a holder 16, wherein the lancet structure 14 includes a pricking member 44 having a resin portion 82 formed thereon. The Office Action applies the convex portion 86 and the lancet body 46 of Morita to the presently claimed primary sheath and secondary sheath, respectively. But, the convex portion 86 of Morita is not disclosed or suggested to provide for initial embedment of the sharp lancing tip, and the lancet body 46 is not disclosed or suggested to provide for receiving the sharp lancing tip of a used lancet. Morita instead discloses that the convex portion 86 and the lancet body 46 (comprising the concave portion 88) are provided for interengagement therebetween, which provides for mounting the resin portion 82 (embedding the pricking member 44) to the lancet member 40 (see Morita, col. 10, lines 6-14). In fact, if the Examiner chooses to compare Morita to the presently claimed invention, the Applicant points to the resin cover 82, which comprises non-slip member 124 that is grasped and pulled to expose the pricking member 44 (see Morita, col. 8, lines 60-67, col. 9, lines 1-7). But, Morita does not disclose or suggest that the resin cover 82 comprises any secondary sheath for receiving the sharp lancing tip of a used lancet.

Accordingly, neither Hufnagle nor Morita disclose or suggest the cap as presently claimed, and Applicant requests that the rejection of Claim 1 (and Claims 2-9 depending therefrom) be withdrawn.

New Claims 19-28 are also believed to define patentable subject matter not disclosed or suggested by the art of record.

CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



Bradley K. Groff
Reg. No. 39,695

Customer No. 23506
GARDNER GROFF
GREENWALD & VILLANUEVA, PC
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Electronic Acknowledgement Receipt	
EFS ID:	16955138
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	25-SEP-2013
Filing Date:	13-NOV-2012
Time Stamp:	16:07:56
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		14_Resp_and_Amend_to_OA_Mailed_07012013.pdf	295916 a31342479bb7afa823a3b0b265340f2af74d8789	yes	7

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	4
	Applicant Arguments/Remarks Made in an Amendment	5	7
Warnings:			
Information:			
Total Files Size (in bytes):		295916	
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.			

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 13/675,209		Filing Date 11/13/2012		☐ To be Mailed	
ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO									
APPLICATION AS FILED – PART I									
(Column 1)		(Column 2)							
FOR		NUMBER FILED		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									
(Column 1)		(Column 2)		(Column 3)					
AMENDMENT	09/25/2013	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 18	Minus	** 20	= 0	x \$40 =		0	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 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	
(Column 1)		(Column 2)		(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	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.									

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



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
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453

CONFIRMATION NO. 7876

POA ACCEPTANCE LETTER

23506
GARDNER GROFF GREENWALD & VILLANUEVA, PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339



Date Mailed: 07/24/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/16/2013.

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.

/ttkim/

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

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:



Practitioners associated with Customer Number:

23506

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:



The address associated with Customer Number:

23506

OR

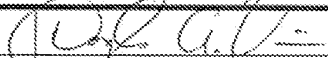
☐	Firm or Individual Name			
☐	Address			
☐	City	State	Zip	
☐	Country			
☐	Telephone	Email		

Assignee Name and Address: **FACET TECHNOLOGIES, LLC, 112 Town Park Drive, Suite 300, Kennesaw, Georgia 30144**

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	12/18/12
Name	Douglas Vine	Telephone	
Title	VP Engineering		

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-0199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: PUSEY et al.

Application No./Patent No.: 13/675,209

Filed/Issue Date: November 13, 2012

Titled: LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

Facet Technologies, LLC, a limited liability 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 030797, Frame 0074, 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.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). 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.

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.

Signature

Bradley K. Groff

Printed or Typed Name

July 16, 2013

Date

39,695

Title or Registration Number

[Page 2 of 2]

Electronic Acknowledgement Receipt	
EFS ID:	16333556
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	16-JUL-2013
Filing Date:	13-NOV-2012
Time Stamp:	17:41:08
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	05_Signed_POA.pdf	404060 2d84f7a77517d340865f2609be67cd5717d f899	no	1
Warnings:					
Information:					

2	Assignee showing of ownership per 37 CFR 3.73.	06_Signed_Statement_Under_37_CFR_373c.pdf	127229 5010ab7574f8cf25d410621ae239400b9a38d97d	no	2
Warnings:					
Information:					
Total Files Size (in bytes):				531289	
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.					

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.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of
Invention

LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

As the below named inventor, I hereby declare that:

This declaration
is directed to:

☐

The attached application, or

☒

United States application or PCT international application number 13/675,209

filed on November 13, 2012

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.

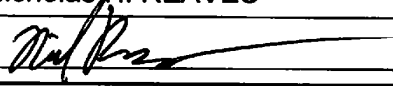
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Nicholas H. REAVES

Date (Optional) : _____

Signature: 

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 1 minute 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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Electronic Acknowledgement Receipt	
EFS ID:	16311570
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	15-JUL-2013
Filing Date:	13-NOV-2012
Time Stamp:	11:20:35
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	03_Signed_Declaration_Reaves .pdf	88280 f4da7c4e92dd2075a39f2e5ec41a6863ebee ba5b	no	1
Warnings:					
Information:					

Total Files Size (in bytes):	88280
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 NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876
23506 7590 07/01/2013 GARDNER GROFF GREENWALD & VILLANUEVA. PC 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339			EXAMINER NGUYEN, VI X	
			ART UNIT 3731	PAPER NUMBER
			NOTIFICATION DATE 07/01/2013	DELIVERY MODE 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@gardnergroff.com

Office Action Summary	Application No. 13/675,209	Applicant(s) PUSEY ET AL.	
	Examiner Victor Nguyen	Art Unit 3731	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 24 April 2013.
☐ 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) 1-18 is/are pending in the application.
5a) Of the above claim(s) 10-18 is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☒ Claim(s) 1-9 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 _____ 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.

Interim copies:

a) ☐ All b) ☐ Some c) ☐ None of the: Interim copies of the priority documents have been received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/27/13

3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

4) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group 1, claims 1-9 in the reply filed on 04/24/13 is acknowledged. The traversal is on the ground(s) that there will be no significant additional burden imposed by examination of Group 1 and 2 together. This is not found persuasive because the inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as subcombination and combination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, *the combination as claimed does not require the particulars of the subcombination as claimed. Because the combination does not require the secondary shroud. The subcombination has separate utility such as a device for cutting tissue.* The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 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.

3. Claims 1, 2, 4-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hufnagle U.S. 4,994,068.

4. Claim 1: Hufnagle discloses a protective sterility cap 13 for a lancet as best seen in figures 1-4, said sterility cap comprising a primary sheath 18 for initial embedment of a sharp lancing tip of an unused lancet therein, and a gripping handle portion 10 extending from the primary sheath.

5. Claims 2, 4-6: Hufnagle discloses a lancet 12; further comprising at least one flat display surface (the area of 12) for placement of branding indicia thereon; wherein the gripping handle portion 10 comprises at least one open loop (the loop occurs around the area of 11); wherein the gripping handle portion comprises a solid body without an open loop as best seen in figures 3, 4.

6. Claims 7-9: Hufnagle discloses in combination with a lancet 12 having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath 18, wherein the gripping handle portion 10 defines a lateral span as best seen in fig. 3 of at least 1.5 times the lancet thickness; wherein the gripping handle portion defines a length at least equal to its lateral span; wherein the gripping handle portion defines a length at least equal to the lancet 12 thickness.

7. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Morita U.S. 5,755,733.

8. Claim 1: Morita discloses a protective sterility cap 16 for a lancet as best seen in figures 8-10, said sterility cap comprising a primary sheath 86 for initial embedment of a sharp lancing tip of an unused lancet therein, and a gripping handle portion 88 extending from the primary sheath.

9. Claims 2-5: Morita discloses a lancet 14; a secondary sheath 46; the gripping handle portion 88 extends between the primary sheath and the secondary sheath;
10. further comprising at least one flat display surface (the area of 82) for placement of branding indicia thereon; wherein the gripping handle portion 88 comprises at least one open loop (fig. 10).

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **VICTOR NGUYEN** whose telephone number is (571) 272-4699. The examiner can normally be reached on M-F/8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, ***please contact the examiner's supervisor, TOM HUGHES, at (571) 272-4357.*** The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If there are any inquiries that are not being addressed by first contacting the Examiner or the Supervisor, you may send an email inquiry to
TC3700_Workgroup_D_Inquiries@uspto.gov.

Art Unit: 3731

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.

/Victor Nguyen/
Primary Examiner, Art Unit 3731

Notice of References Cited	Application/Control No. 13/675,209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.	
	Examiner Victor Nguyen	Art Unit 3731	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,755,733	05-1998	Morita, Susumu	606/182
*	B	US-4,994,068	02-1991	Hufnagle, Douglas R.	606/181
	C	US-			
	D	US-			
	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.

Receipt date: 02/27/2013

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

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		13675209
	Filing Date		2012-11-13
	First Named Inventor	PUSEY et al.	
	Art Unit	3731	
	Examiner Name	NGUYEN, Vi X.	
	Attorney Docket Number	2G02.1-453	

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	D445183		2001-07-17	McWETHY et al.	
	2	D484244		2003-12-23	STARNES	
	3	D493527		2004-07-27	SZABO	
	4	D533943		2006-12-19	CHEN	
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	6	D562980		2008-02-26	MARSHALL	
	7	D567944		2008-04-29	SARNA	
	8	D570478		2008-06-03	SUDO	

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	Art Unit	3731		
	Examiner Name	NGUYEN, Vi X.		
	Attorney Docket Number	2G02.1-453		

	9	D581046		2008-11-18	SUDO	
	10	D586465		2009-02-10	FAULKNER et al.	
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	12	2839056		1958-06-17	MAILLY	
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	14	4577630		1986-03-25	NITZSCHE et al.	
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/Vi X Nguyen/

EFS Web 2.1.17

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /V.N./

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	Art Unit	3731	
	Examiner Name	NGUYEN, Vi X.	
	Attorney Docket Number	2G02.1-453	

	20	5385571		1995-01-31	MORITA	
	21	5454828		1995-10-03	SCHRAGA	
	22	5569286		1996-10-29	PECKHAM et al.	
	23	5755733		1998-05-26	MORITA	
	24	5868772		1999-02-09	LeVAUGHN et al.	
	25	6299626		2001-10-09	VIRANYI	
	26	6322574		2001-11-27	LLOYD et al.	
	27	6589261		2003-07-08	ABULHAJ et al.	
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	30	7150755		2006-12-19	LeVAUGHN et al.	
/Vi X Nguyen/						06/20/2013

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	Art Unit	3731		
	Examiner Name	NGUYEN, Vi X.		
	Attorney Docket Number	2G02.1-453		

	31	7357808		2008-04-15	KENNEDY	
	32	7655017		2010-02-02	STARNES	
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	34	7955347		2011-06-07	STOUT	
	35	7955348		2011-06-07	TRISSEL et al.	

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	1	20030109895		2003-06-12	TAYLOR et al.	
	2	20040059365		2004-03-25	ABULHAJ et al.	
	3	20060052809		2006-03-09	KARBOWNICZEK et al.	
/Vi X Nguyen/	4	20070083222		2007-04-12	SCHRAGA	

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	Attorney Docket Number	2G02.1-453		

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Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² j	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	0589186	EP	B1	1999-11-03	APLS CO., LTD.		☐
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	7	2007097283	WO	A1	2007-08-30	ASAHI POLYSLIDER COMPANY, LIMITED		☐
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	9	2009015097	WO	A2	2009-01-29	KIM, STANLEY		☐

/Vi X Nguyen/

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	Attorney Docket Number	2G02.1-453		

	10	2009006461	WO	A1	2009-01-08	STOUT et al.		☐
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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	Anhui Kangda (Shanghai Care Life), Thin Lancets; date unknown; 2 pgs.					☐
	2	Asahi Polyslider, ABBOTT Thin Lancets; date unknown; 3 pgs.					☐
	3	Asahi Polyslider, Arkray Multilet Lancet; date unknown; 2 pgs.					☐
	4	Asahi Polyslider, Facet Technologies (Gainor Medical) Cleanlet 25G; date unknown; 2 pgs.					☐
	5	International Search Report and Written Opinion for PCT/US20069/051943; February 17, 2010; 18 pgs.					☐
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	7	Owen Mumford, Unilet Excelite; date unknown; 2 pgs.					☐
	8	Owen Mumford, Unilet GP Superlite; date unknown; 2 pgs.					☐

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	Attorney Docket Number	2G02.1-453	

	9	Partial International Search Report for PCT/US2009/051943; November 16, 2009; 7 pgs.	☐
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Examiner Signature	/Vi X. Nguyen/		Date Considered 06/20/2013
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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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	Art Unit	3731	
	Examiner Name	NGUYEN, Vi X.	
	Attorney Docket Number	2G02.1-453	

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	/Bradley K. Groff/	Date (YYYY-MM-DD)	2013-02-27
Name/Print	Bradley K. Groff	Registration Number	39695

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 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:

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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).
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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EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	8	"510701".ap.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 15:40
S2	8	pusey with lauren.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 16:51
S3	897	606/181.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:16
S4	640	S3 and @pd<"20080729"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:17
S5	92	S4 and (coupling with member)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:17
S6	0	S5 and d-shaped	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:18
S7	75	S5 and resilient	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/16 17:18
S8	2	"2007185515"	US-	OR	ON	2011/11/18

			PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT			10:42
S9	4	"2007130830"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 10:43
S10	4	"2006052809"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 10:44
S11	5	"2007097283"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 10:45
S12	2	"2007185515"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 10:45
S13	2	"20090143810"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 10:58
S14	3	"20080119883"	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 12:15
S15	2	"7322996".pn.	US- PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2011/11/18: 12:16
S16	39	("1135465" | "1487791" | "20020004196" | "20020040230" | "20030109895" | "4360016" | "4388925" | "4416279" | "4503856" | "4527561" | "4627445" | "4794926" | "4858607" | "4924879" | "4976724" | "5318584" | "5324303" |	US- PGPUB; USPAT; USOCR	OR	ON	2011/11/18: 12:47

		"5356420" | "5368047" | "5439473" | "5554166" | "5569287" | "5613978" | "5628765" | "5730753" | "5741288" | "5755733" | "5857983" | "5916230" | "5951582" | "5971941" | "6042595" | "6045567" | "6306152" | "6364890" | "6602268" | "6866641").PN.				
S17	6	"293409".ap.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 09:27
S18	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:42
S19	2	"6602268".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:46
S20	2	(lancet) and (curved near2 contour) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:48
S21	19	(lancet) and (curved near2 contour)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:48
S22	3	S21 and crest	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:49
S23	88	(lancet) and (trough) and (crest)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:50
S24	47	S23 and (disc or flange)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:51
S25	7	S24 and contour	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 10:51

S26	3	"4858607".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2012/10/22 11:28
S27	3	"4858607".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:03
S28	3	(lancet with body) and (curved with wave) and (contour)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:26
S29	2	"5755733".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/04/04 09:37
S30	9	"675209".ap.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:27
S31	76	("20030109895" | "20040059365" | "20060052809" | "20070083222" | "2839056" | "3358689" | "4577630" | "4858607" | "4889117" | "4990154" | "5314442" | "5324303" | "5385571" | "5454828" | "5569286" | "5755733" | "5868772" | "6299626" | "6322574" | "6589261" | "6723111" | "6945982" | "7150755" | "7357808" | "7655017" | "7670301" | "7955347" | "7955348" | "D445183" | "D484244" | "D493527" | "D533943" | "D535397" | "D562980" | "D567944" | "D570478" | "D581046" | "D586465" | "D586916").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:43
S32	67	S31 and @pd<"20080729"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:43
S33	1	S32 and sheath	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 08:44
S34	69	("3030959" | "3358689" | "4375815" | "4379456" | "4388925" | "4414975" | "4416279" | "4442836" | "4449529" | "4452243" | "4462405" | "4469110" | "4503856" | "4514609" | "4517978" |	US-PGPUB; USPAT; USOCR	OR	ON	2013/06/20 08:50

		"4527561" | "4535769" | "4539988" | "4545376" | "4553541" | "4577630" | "4580564" | "4580565" | "4610667" | "4616649" | "4624253" | "4648408" | "4653513" | "4658821" | "4676244" | "4677979" | "4712548" | "4715374" | "4735203" | "4738261" | "4794926" | "4817603" | "4844095" | "4856515" | "4858607" | "4869249" | "4889117" | "4892097" | "4924879" | "4976724" | "4990154" | "4994068" | "4995402" | "5026388" | "5047044" | "5074872" | "5100427" | "5105823" | "5133730" | "5147375" | "5207699" | "5314442" | "5356420" | "5366469" | "5366470" | "5397334" | "5439473" | "5487748" | "5514152" | "5527334" | "5554166" | "Re32922").PN.				
S35	159	("5755733").URPN.	USPAT	OR	ON	2013/06/20 08:57
S36	3	"4994068".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:05
S37	3	"3358689".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:06
S38	13	pusey with lauren.in.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:06
S39	1491	606/181,182.ccls.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:09
S40	922	S39 and @pd<"20080729"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:09
S41	0	S40 and (sheath) and (open with loop)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:10
S42	25	S40 and (sheath)and (handle)	US- PGPUB; USPAT; USOCR; EPO; JPO;	OR	ON	2013/06/20 09:10

EAST Search History

			DERWENT			
S43	2	"5755733".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:20
S44	3	(primary with sheath) and (secondary with sheath) and (handle with loop) and (sharp with tip) and (needle)	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2013/06/20 09:25

EAST Search History (Interference)

< This search history is empty >

6/ 24/ 2013 9:57:30 AM**C:\ Users\ vnguyen10\ Documents\ EAST\ Workspaces\ 12510701.wsp**

Search Notes 	Application/Control No. 13675209	Applicant(s)/Patent Under Reexamination PUSEY ET AL.
	Examiner VICTOR NGUYEN	Art Unit 3731

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

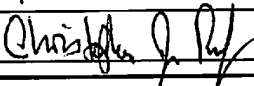
US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
606	181,182	6/20/13	VN
600	573,583	6/20/13	VN

SEARCH NOTES		
Search Notes	Date	Examiner
Searched history related to 12/510701. Update previous searched. See attached searched history	6/24/13	VN

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
As the below named inventor, I hereby declare that: This declaration is directed to: ☐ The attached application, or ☒ United States application or PCT international application number <u>13/675,209</u> filed on <u>November 13, 2012</u>. 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. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. LEGAL NAME OF INVENTOR Inventor: <u>Christopher J. RUF</u> Date (Optional): <u>5/17/2013</u> Signature: <u></u> Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 1 minute 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:	15821215
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	20-MAY-2013
Filing Date:	13-NOV-2012
Time Stamp:	16:33:27
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	03_Signed_Declaration_Ruf.pdf	85054 ae78ab4d3540c5530b5acfee5c070f3f52ca776f	no	1
Warnings:					
Information:					

Total Files Size (in bytes):	85054
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.	

Atty. Docket No.: 2G02.1-453
Serial No.: 13/675,209
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: PUSEY et al.	)
	) Group Art Unit: 3731
Serial No.: 13/675,209	)
	) Examiner: NGUYEN, Vi X.
Filed: November 13, 2012	)
	) Conf. No.: 7876
For: LANCETS WITH IMPROVED	)
COUPLING FEATURES AND	)
STERILITY CAPS	)
_____	)

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 24, 2013

Filed Electronically

Sir:

This is in response to the Restriction Requirement mailed April 1, 2013. This Response is believed to be timely. However, if any extension of time is required, please consider this a request therefor. The Commissioner is authorized to charge any fees due or credit any overpayment to Deposit Account 50-1513.

CLAIMS

The status of the claims is:

1. (original) A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, and a gripping handle portion extending from the primary sheath.
2. (original) The protective sterility cap of Claim 1, in combination with a lancet.
3. (original) The protective sterility cap of Claim 1, further comprising a secondary sheath for receiving the sharp lancing tip of a used lancet, the gripping handle portion extending between the primary sheath and the secondary sheath.
4. (original) The protective sterility cap of Claim 1, further comprising at least one flat display surface for placement of branding indicia thereon.
5. (original) The protective sterility cap of Claim 1, wherein the gripping handle portion comprises at least one open loop.
6. (original) The protective sterility cap of Claim 1, wherein the gripping handle portion comprises a solid body without an open loop.
7. (original) The protective sterility cap of Claim 1, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.
8. (original) The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to its lateral span.
9. (original) The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

10. (original) A lancet system comprising:
 - a lancet having a lancet body and a sharp lancing tip projecting from the lancet body, wherein the lancet body comprises at least one resilient coupling member and defines a lancet body thickness; and
 - an endcap having a primary shroud portion initially surrounding the sharp lancing tip of the lancet, a secondary shroud portion for placement over the sharp lancing tip of the lancet after use, and a handle portion extending between the primary shroud portion and the secondary shroud portion.
11. (original) The lancet system of Claim 16, wherein the at least one resilient coupling member comprises an opposed pair of resilient coupling members.
12. (original) The lancet system of Claim 16, wherein the at least one resilient coupling member comprises first and second opposed pairs of resilient coupling members.
13. (original) The lancet system of Claim 16, wherein the at least one resilient coupling member comprises a cantilevered finger having a first end connected to the lancet body and a second free end extending away from the lancet body.
14. (original) The lancet system of Claim 16, wherein the at least one resilient coupling member comprises a flexible loops having first and second ends connected to the lancet body and a medial portion between the first and second ends separated a distance from the lancet body to define an open hollow.
15. (original) The lancet system of Claim 16, wherein the at least one resilient coupling member comprises a flexible panel of the lancet body.
16. (original) The lancet system of Claim 16, wherein the handle portion of the endcap has a lateral span of at least 1.5 times the lancet body thickness.

17. (original) The protective sterility cap of Claim 22, wherein the handle portion of the endcap defines a length at least equal to its lateral span.
18. (original) The protective sterility cap of Claim 22, wherein the handle portion of the endcap defines a length at least equal to the lancet thickness.

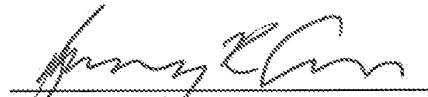
Response to Restriction Requirement:

Applicant elects, with traverse, to continue prosecution of Claims 1-9 (Group I). Applicant respectfully traverses and requests reconsideration of the restriction requirement on the following grounds.

Section 803 of the Manual of Patent Examining Procedure (M.P.E.P.) sets out two criteria for proper requirement of restriction: (1) the inventions must be independent or distinct as claimed; *and* (2) there must be a *serious burden* on the Examiner if restriction is required. Applicant does not contest that the first criteria, namely that the inventions must be independent or distinct as claimed, is met.

Applicant respectfully submits, however, that the second criteria specified by M.P.E.P. §803 is not met with regard to Groups I and II. Because the inventions defined by various claims within Groups I and II include a number of common or substantially related elements, in order to properly examine the inventions defined by claims in Group II, it will likely be necessary for the Examiner to also search art relevant to claims in Group I as well. As such, there will be no significant additional burden imposed by examination of the claims of Groups I and II together.

Respectfully submitted,


Bradley K. Groff
Reg. No. 39,695

Customer No. 23506
GARDNER GROFF
GREENWALD & VILLANUEVA, PC
Tel: (770) 984-2300
Fax: (770) 984-0098

Electronic Acknowledgement Receipt	
EFS ID:	15603558
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	24-APR-2013
Filing Date:	13-NOV-2012
Time Stamp:	16:23:34
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		12_Resp_To_RR_Mailed_04012013.pdf	411177 b8a7b65e7dc881b18ac6d016be03de186a a5d196	yes	5

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Response to Election / Restriction Filed	1	1
	Claims	2	4
	Applicant Arguments/Remarks Made in an Amendment	5	5
Warnings:			
Information:			
Total Files Size (in bytes):		411177	
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.			

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.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 13/675,209		Filing Date 11/13/2012		☐ To be Mailed	
ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO									
APPLICATION AS FILED – PART I									
(Column 1)		(Column 2)							
FOR	NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)				
☒ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	195				
☐ 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	195			
APPLICATION AS AMENDED – PART II									
(Column 1)		(Column 2)		(Column 3)					
AMENDMENT	04/24/2013	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 18	Minus	** 20	= 0	x \$40 =	0		
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 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		
(Column 1)		(Column 2)		(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	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.									

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.**

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453	7876
23506 7590 04/01/2013 GARDNER GROFF GREENWALD & VILLANUEVA. PC 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339			EXAMINER NGUYEN, VI X	
			ART UNIT 3731	PAPER NUMBER
			NOTIFICATION DATE 04/01/2013	DELIVERY MODE 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@gardnergroff.com

Office Action Summary	Application No.	Applicant(s)	
	13/675,209	PUSEY ET AL.	
	Examiner	Art Unit	
	Victor Nguyen	3731	

-- 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 1 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 13 November 2012.
- 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) 1-18 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) ____ is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☒ Claim(s) 1-18 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 ____ 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).
- a) ☐ All b) ☐ Some * c) ☐ None of:
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) | 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 4) ☐ Other: ____. |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-9, drawn to a protective sterility cap, classified in class 606, subclass 117.
- II. Claims 10-18, drawn to a lancet system, classified in class 606, subclass 181.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombination and combination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed. Because the combination does not require the secondary shroud. The subcombination has separate utility such as a device for cutting tissue.

Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

(a) the inventions have acquired a separate status in the art in view of their different classification;

(b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;

(c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);

(d) the prior art applicable to one invention would not likely be applicable to another invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

The examiner has required restriction between product and process claims. Where applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder. *All* claims directed to a nonelected process invention must require all the limitations of an allowable product claim for that process invention to be rejoined.

In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104. Thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of 35 U.S.C. 101, 102, 103 and 112. Until all claims to the elected product are found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained.

Withdrawn process claims that are not commensurate in scope with an allowable product claim will not be rejoined. See MPEP § 821.04(b). Additionally, in order to retain the right to rejoinder in accordance with the above policy, applicant is advised that the process claims should be amended during prosecution to require the limitations of the product claims. **Failure to do so**

may result in a loss of the right to rejoinder. Further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **VICTOR NGUYEN** whose telephone number is (571) 272-4699. The examiner can normally be reached on M-F/8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, ***please contact the examiner's supervisor, TOM HUGHES, at (571) 272-4357.*** The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If there are any inquiries that are not being addressed by first contacting the Examiner or the Supervisor, you may send an email inquiry to
TC3700_Workgroup_D_Inquiries@uspto.gov.

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.

/Victor Nguyen/
Primary Examiner, Art Unit 3731

Application/Control Number: 13/675,209
Art Unit: 3731

Page 5



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453

CONFIRMATION NO. 7876

PUBLICATION NOTICE

23506
GARDNER GROFF GREENWALD & VILLANUEVA. PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339



OC000000059995498

Title:LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

Publication No.US-2013-0072953-A1

Publication Date:03/21/2013

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

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		13675209
	Filing Date		2012-11-13
	First Named Inventor	PUSEY et al.	
	Art Unit	3731	
	Examiner Name	NGUYEN, Vi X.	
	Attorney Docket Number	2G02.1-453	

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	D445183		2001-07-17	McWETHY et al.	
	2	D484244		2003-12-23	STARNES	
	3	D493527		2004-07-27	SZABO	
	4	D533943		2006-12-19	CHEN	
	5	D535397		2007-01-16	CHEN	
	6	D562980		2008-02-26	MARSHALL	
	7	D567944		2008-04-29	SARNA	
	8	D570478		2008-06-03	SUDO	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	13675209
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	First Named Inventor	PUSEY et al.
	Art Unit	3731
	Examiner Name	NGUYEN, Vi X.
	Attorney Docket Number	2G02.1-453

	9	D581046		2008-11-18	SUDO	
	10	D586465		2009-02-10	FAULKNER et al.	
	11	D586916		2009-02-17	FAULKNER et al.	
	12	2839056		1958-06-17	MAILLY	
	13	3358689		1967-12-19	HIGGINS	
	14	4577630		1986-03-25	NITZSCHE et al.	
	15	4858607		1989-08-22	JORDAN et al.	
	16	4889117		1989-12-26	STEVENS	
	17	4990154		1991-02-05	BROWN et al.	
	18	5314442		1994-05-24	MORITA	
	19	5324303		1994-06-28	STRONG et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		13675209
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	Art Unit	3731	
	Examiner Name	NGUYEN, Vi X.	
	Attorney Docket Number	2G02.1-453	

	20	5385571		1995-01-31	MORITA	
	21	5454828		1995-10-03	SCHRAGA	
	22	5569286		1996-10-29	PECKHAM et al.	
	23	5755733		1998-05-26	MORITA	
	24	5868772		1999-02-09	LeVAUGHN et al.	
	25	6299626		2001-10-09	VIRANYI	
	26	6322574		2001-11-27	LLOYD et al.	
	27	6589261		2003-07-08	ABULHAJ et al.	
	28	6723111		2004-04-20	ABULHAJ et al.	
	29	6945982		2005-09-20	MARSHALL et al.	
	30	7150755		2006-12-19	LeVAUGHN et al.	

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	First Named Inventor	PUSEY et al.		
	Art Unit	3731		
	Examiner Name	NGUYEN, Vi X.		
	Attorney Docket Number	2G02.1-453		

	31	7357808		2008-04-15	KENNEDY	
	32	7655017		2010-02-02	STARNES	
	33	7670301		2010-03-02	ROE	
	34	7955347		2011-06-07	STOUT	
	35	7955348		2011-06-07	TRISSEL et al.	

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	1	20030109895		2003-06-12	TAYLOR et al.	
	2	20040059365		2004-03-25	ABULHAJ et al.	
	3	20060052809		2006-03-09	KARBOWNICZEK et al.	
	4	20070083222		2007-04-12	SCHRAGA	

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	Filing Date		2012-11-13	
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	Art Unit	3731		
	Examiner Name	NGUYEN, Vi X.		
	Attorney Docket Number	2G02.1-453		

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Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² j	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	0589186	EP	B1	1999-11-03	APLS CO., LTD.		☐
	2	0595148	EP	A1	1994-05-04	APLS CO., LTD.		☐
	3	0747006	EP	A1	1996-12-11	APLS CO., LTD.		☐
	4	1285629	EP	A1	2003-02-26	MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		☐
	5	1929949	EP	A1	2008-06-11	IZUMI-COSMO COMPANY LIMITED		☐
	6	0128423	WO	A2	2001-04-26	GAINOR MEDICAL NORTH AMERICA, LLC		☐
	7	2007097283	WO	A1	2007-08-30	ASAHI POLYSLIDER COMPANY, LIMITED		☐
	8	2007130830	WO	A2	2007-11-15	FACET TECHNOLOGIES, LLC		☐
	9	2009015097	WO	A2	2009-01-29	KIM, STANLEY		☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		13675209	
	Filing Date		2012-11-13	
	First Named Inventor	PUSEY et al.		
	Art Unit	3731		
	Examiner Name	NGUYEN, Vi X.		
	Attorney Docket Number	2G02.1-453		

	10	2009006461	WO	A1	2009-01-08	STOUT et al.		☐
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	2	Asahi Polyslider, ABBOTT Thin Lancets; date unknown; 3 pgs.					☐
	3	Asahi Polyslider, Arkray Multilet Lancet; date unknown; 2 pgs.					☐
	4	Asahi Polyslider, Facet Technologies (Gainor Medical) Cleanlet 25G; date unknown; 2 pgs.					☐
	5	International Search Report and Written Opinion for PCT/US20069/051943; February 17, 2010; 18 pgs.					☐
	6	Owen Mumford, Unilet ComforTouch; date unknown; 2 pgs.					☐
	7	Owen Mumford, Unilet Excelite; date unknown; 2 pgs.					☐
	8	Owen Mumford, Unilet GP Superlite; date unknown; 2 pgs.					☐

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	Filing Date		2012-11-13
	First Named Inventor	PUSEY et al.	
	Art Unit	3731	
	Examiner Name	NGUYEN, Vi X.	
	Attorney Docket Number	2G02.1-453	

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

Application Number	13675209
	Filing Date		2012-11-13
	First Named Inventor	PUSEY et al.
	Art Unit	3731
	Examiner Name	NGUYEN, Vi X.
	Attorney Docket Number	2G02.1-453

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	/Bradley K. Groff/	Date (YYYY-MM-DD)	2013-02-27
Name/Print	Bradley K. Groff	Registration Number	39695

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 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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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.
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:	15072317
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	27-FEB-2013
Filing Date:	13-NOV-2012
Time Stamp:	19:52:15
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	Transmittal Letter	11_IDS_Transmittal.pdf	76759 94004331f53e5f30d24df53a1f417a8c15714bdf	no	2
Warnings:					
Information:					

2	Information Disclosure Statement (IDS) Form (SB08)	10_IDS_Form.pdf	614338	no	9
			ab17d7c60e6243beb57b813306abb6e2c1 937a4d		
Warnings:					
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Total Files Size (in bytes):				691097	
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.					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PUSEY et al.	)	
	)	Conf. No.: 7876
Serial No.: 13/675,209	)	
	)	Group Art Unit: 3731
Filed: November 13, 2012	)	
	)	Examiner: NGUYEN, Vi X.
For: LANCETS WITH IMPROVED	)	
COUPLING FEATURES AND	)	
STERILITY CAPS	)	
	)	

INFORMATION DISCLOSURE STATEMENT

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

GARDNER GROFF
GREENWALD & VILLANUEVA, PC
2018 Powers Ferry Road, Ste. 800
Atlanta, GA 30339

Filed Electronically

February 27, 2013

Sir:

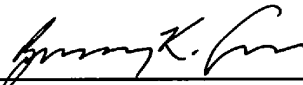
Submitted herewith on form PTO/SB/08a is a listing of documents known to applicants and/or their attorneys in compliance with the requirements of 37 C.F.R. § 1.56. Consideration of the cited documents and making the same of record in the prosecution of the above-noted application are respectfully requested. Copies of these documents are not enclosed, as this application claims priority to U.S. Non-Provisional Patent Application Serial No. 13/293,409 filed November 10, 2011, in which copies were previously submitted. 37 C.F.R. § 1.98.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. § 1.97(h)) or statutory prior art, or that no other material information exists. The filing of this Information

Disclosure Statement shall not be construed as an admission against interest in any manner.
Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

No fee is believed to be due, as this Information Disclosure Statement is submitted within three months of the filing date or before receipt of a first office action on the merits. 37 C.F.R. § 1.97(b). However, if any extension of time is necessary to render this filing timely, please consider this a request therefor. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

Respectfully submitted,

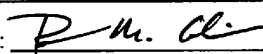


Bradley K. Groff
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Tel: (770) 984-2300
Fax: (770) 984-0098

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

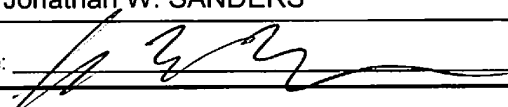
Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
As the below named inventor, I hereby declare that: This declaration is directed to: ☐ The attached application, or ☒ United States application or PCT international application number <u>13/675,209</u> filed on <u>November 13, 2012</u>. 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. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. LEGAL NAME OF INVENTOR Inventor: <u>Brian M. COLLINS</u> Date (Optional): <u>11 Dec 2012</u> Signature: <u></u> Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 1 minute 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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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
As the below named inventor, I hereby declare that: This declaration is directed to: ☐ The attached application, or ☒ United States application or PCT international application number <u>13/675,209</u> filed on <u>November 13, 2012</u> 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. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. LEGAL NAME OF INVENTOR Inventor: <u>Jonathan W. SANDERS</u> Date (Optional): <u>Dec 6th, 2012</u> Signature:  Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

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

Electronic Acknowledgement Receipt	
EFS ID:	14836946
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	30-JAN-2013
Filing Date:	13-NOV-2012
Time Stamp:	20:11:17
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	Oath or Declaration filed	03_Signed_Declaration_Collins.pdf	83822 e0dc4200593a83f1865a57132d3e1d2cfd681aa1	no	1
Warnings:					
Information:					

2	Oath or Declaration filed	03_Signed_Declaration_Sander s.pdf	84557 394500abaaf027951e5979b05a4fb8a10bfe 5c1c	no	1
Warnings:					
Information:					
Total Files Size (in bytes):				168379	
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	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/675,209	11/13/2012	Lauren R. PUSEY	2G02.1-453

CONFIRMATION NO. 7876

23506

GARDNER GROFF GREENWALD & VILLANUEVA. PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339

NOTICE



Date Mailed: 12/12/2012

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 properly executed inventor's oath or declaration has not been received for the following inventor(s):
Brian M. COLLINS, Christopher J. RUF, Nicholas H. REAVES, Jonathan W. SANDERS
Applicant may submit the inventor's oath or declaration at any time before the Notice of Allowance and Fee(s) Due, PTOL-85, is mailed.

PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 13/675,209		
Substitute for Form PTO-875								
APPLICATION AS FILED - PART I								
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)	
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	98		N/A		
SEARCH FEE (37 CFR 1.16(k), (j), or (m))	N/A	N/A	N/A	310		N/A		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A		
TOTAL CLAIMS (37 CFR 1.16(i))	18	minus 20 = *	x 31 =	0.00	OR			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2	minus 3 = *	x 125 =	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				
			TOTAL	533		TOTAL		
* If the difference in column 1 is less than zero, enter "0" in column 2.								
APPLICATION AS AMENDED - PART II								
AMENDMENT A	(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	OR OTHER THAN SMALL ENTITY
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(j))	*	Minus	**	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))					OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR		
					TOTAL ADD'L FEE		TOTAL ADD'L FEE	
AMENDMENT B	(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	OR OTHER THAN SMALL ENTITY
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(j))	*	Minus	**	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))					OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR		
					TOTAL ADD'L FEE		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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United States Patent and Trademark Office
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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
13/675,209	11/13/2012	3731	598	2G02.1-453	18	2

CONFIRMATION NO. 7876

FILING RECEIPT



OC000000057969546

23506
GARDNER GROFF GREENWALD & VILLANUEVA, PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA, GA 30339

Date Mailed: 12/12/2012

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)

Lauren R. PUSEY, Woodstock, GA;
Brian M. COLLINS, Denver, CO;
Christopher J. RUF, Marietta, GA;
Nicholas H. REAVES, Atlanta, GA;
Jonathan W. SANDERS, Portage, MI;

Applicant(s)

FACET TECHNOLOGIES, LLC, Kennesaw, GA

Assignment For Published Patent Application

FACET TECHNOLOGIES, LLC, Kennesaw, GA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a DIV of 13/293,409 11/10/2011
which is a DIV of 12/510,701 07/28/2009 ABN
which claims benefit of 61/084,456 07/29/2008

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: 12/04/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/675,209**

Projected Publication Date: 03/21/2013

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

Preliminary Class

606

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 (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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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.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	2G02.1-453
	First Inventor	PUSEY et al.
	Title	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
	Express Mail Label No.	Filed Electronically

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
1. ☒ Fee Transmittal Form. (PTO/SB/17 or equivalent) 2. ☒ Applicant claims small entity status. See 37 CFR 1.27. 3. ☒ Specification. [Total Pages <u>18</u>] Both the claims and abstract must start on a new page (For information on the preferred arrangement, see MPEP § 608.01(a)) 4. ☒ Drawing(s). (35 U.S.C. 113) [Total Sheets <u>9</u>] 5. Inventor's Oath or Declaration. [Total Sheets <u>1</u>] (including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e)) a. ☒ Newly executed (original or copy) b. ☐ A copy from a prior application (37 CFR 1.63(d)) 6. ☒ Application Data Sheet. *See Note below. See 37 CFR 1.76 (PTO/AIA/14 or equivalent) 7. ☐ CD-ROM or CD-R. In duplicate, large table or Computer Program (Appendix) ☐ Landscape Table on CD 8. Nucleotide and/or Amino Acid Sequence Submission. (if applicable, items a. – c. are required) a. ☐ Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: i. ☐ CD-ROM or CD-R (2 copies); or ii. ☐ Paper c. ☐ Statements verifying identity of above copies	ACCOMPANYING APPLICATION PARTS 9. ☐ Assignment Papers. (cover sheet & document(s)) Name of Assignee _____ 10. ☐ 37 CFR 3.73(c) Statement. ☐ Power of Attorney. (when there is an assignee) 11. ☐ English Translation Document. (if applicable) 12. ☐ Information Disclosure Statement. (PTO/SB/08 or PTO-1449) ☐ Copies of citations attached 13. ☐ Preliminary Amendment. 14. ☐ Return Receipt Postcard. (MPEP § 503) (Should be specifically itemized) 15. ☐ Certified Copy of Priority Document(s). (if foreign priority is claimed) 16. ☐ Nonpublication Request. Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 17. ☐ Other: _____

***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
(2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

18. CORRESPONDENCE ADDRESS

☒ The address associated with Customer Number: 23506 OR ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Email	
Signature		Date	November 13, 2012
Name (Print/Type)		Registration No. (Attorney/Agent)	39,695

This collection of information is required by 37 CFR 1.53(b). 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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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	2G02.1-453
		Application Number	
Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		
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		
	Lauren	R.	PUSEY			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						
City	Woodstock	State/Province	GA	Country of Residence i	US	
Mailing Address of Inventor:						
Address 1		5160 Shotwell Street				
Address 2						
City	Woodstock	State/Province	GA			
Postal Code	30188	Country i	US			
Inventor 2					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Brian	M.	COLLINS			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						
City	Denver	State/Province	CO	Country of Residence i	US	
Mailing Address of Inventor:						
Address 1		440 Holly Street				
Address 2						
City	Denver	State/Province	CO			
Postal Code	80220	Country i	US			
Inventor 3					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Christopher	J.	RUF			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number		2G02.1-453	
		Application Number			
Title of Invention		LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS			
City	Marietta	State/Province	GA	Country of Residence i	US
Mailing Address of Inventor:					
Address 1		2120 Ithica Drive			
Address 2					
City	Marietta	State/Province	GA		
Postal Code	30067	Country i	US		
Inventor 4					Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Nicholas	H.	REAVES		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Atlanta	State/Province	GA	Country of Residence i	US
Mailing Address of Inventor:					
Address 1		130 Center Street NW			
Address 2					
City	Atlanta	State/Province	GA		
Postal Code	30313	Country i	US		
Inventor 5					Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Jonathan	W.	SANDERS		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Portage	State/Province	MI	Country of Residence i	US
Mailing Address of Inventor:					
Address 1		5717 Thunder Bay Street			
Address 2					
City	Portage	State/Province	MI		
Postal Code	49024	Country i	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					Add

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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.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	2G02.1-453	
		Application Number		
Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS			
Customer Number	23506			
Email Address	patent@gardnergroff.com		Add Email	Remove Email

Application Information:

Title of the Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		
Attorney Docket Number	2G02.1-453	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)	9	Suggested Figure for Publication (if any)	1

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	23506		

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)
	Division of	13/293409	2011-11-10
Prior Application Status	Abandoned	Remove	

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	2G02.1-453
		Application Number	
Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
13/293409	Division of	12/510701	2009-07-28
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12/510701	non provisional of	61/084456	2008-07-29
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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
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☒ Authorization to Permit Access to the Instant Application by the Participating Offices
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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	2G02.1-453
		Application Number	
Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		

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. ☒

Organization Name	FACET TECHNOLOGIES, LLC
-------------------	-------------------------

Mailing Address Information:

Address 1	112 Town Park Drive		
Address 2	Suite 300		
City	Kennesaw	State/Province	GA
Country ⁱ	US	Postal Code	30144
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

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Signature:

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

Signature	/Bradley K. Groff/		Date (YYYY-MM-DD)	2012-11-13
First Name	Bradley K.	Last Name	Groff	Registration Number
			39695	

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	2G02.1-453
		Application Number	
Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		

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.**

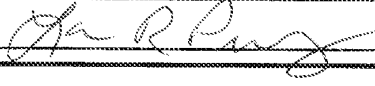
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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be 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.

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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.
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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.
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.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
As the below named inventor, I hereby declare that: This declaration is directed to: ☒ The attached application, or ☐ United States application or PCT international application number _____ filed on _____ 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. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. LEGAL NAME OF INVENTOR Inventor: <u>Lauren R. PUSEY</u> Date (Optional): <u>12 Nov 2012</u> Signature: <u></u> Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 1 minute 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.

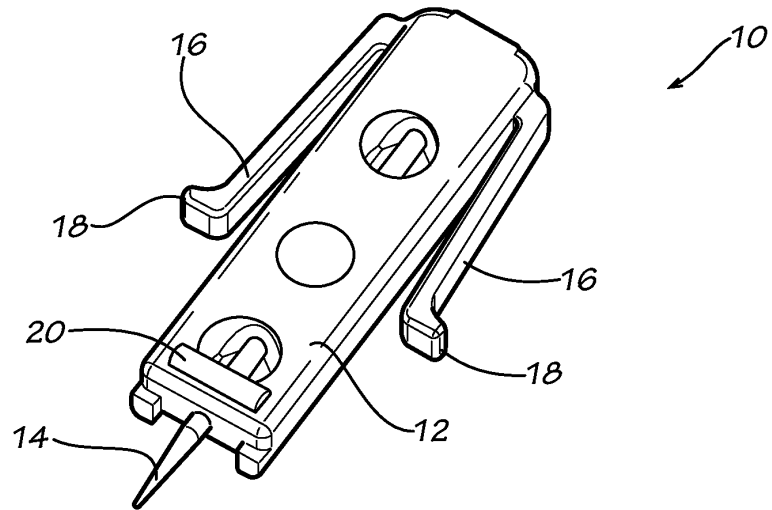


FIG. 1A

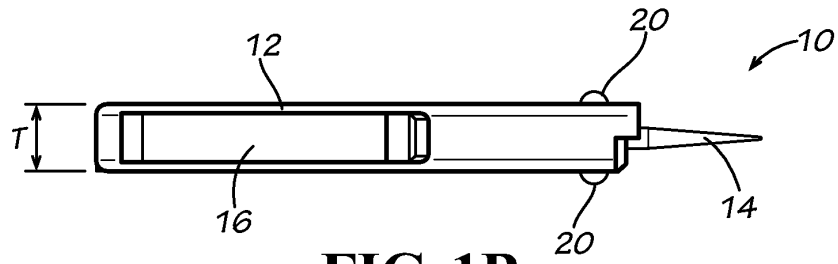


FIG. 1B

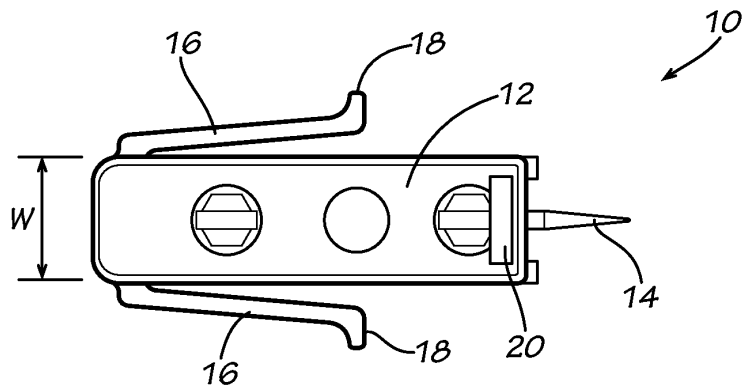


FIG. 1C

FIG. 2A

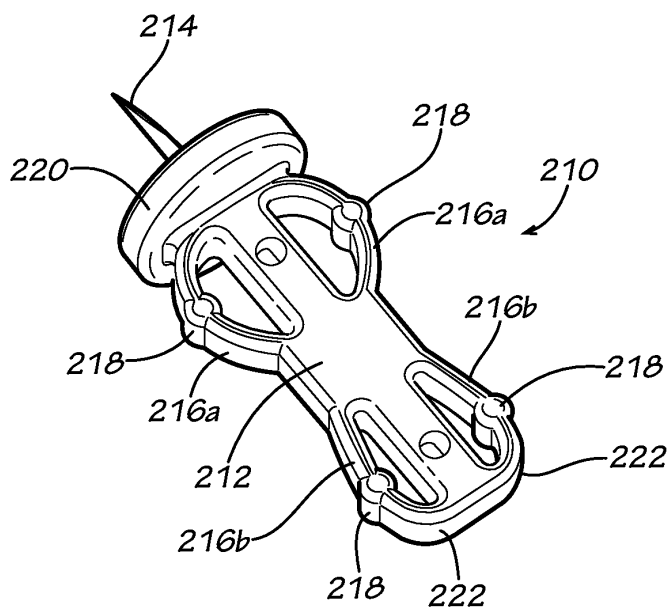
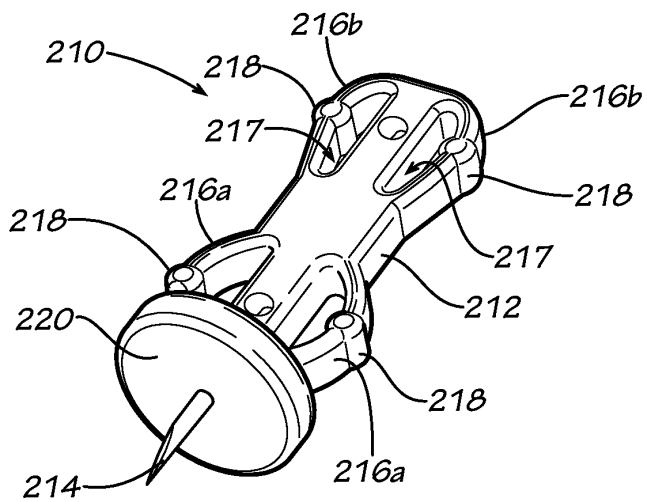


FIG. 2B



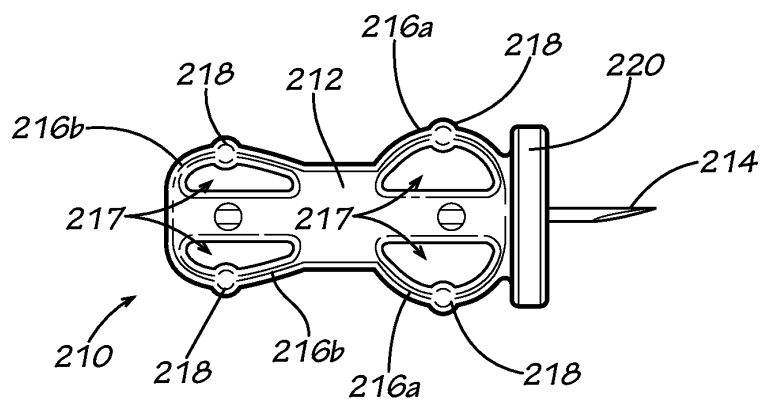


FIG. 2C

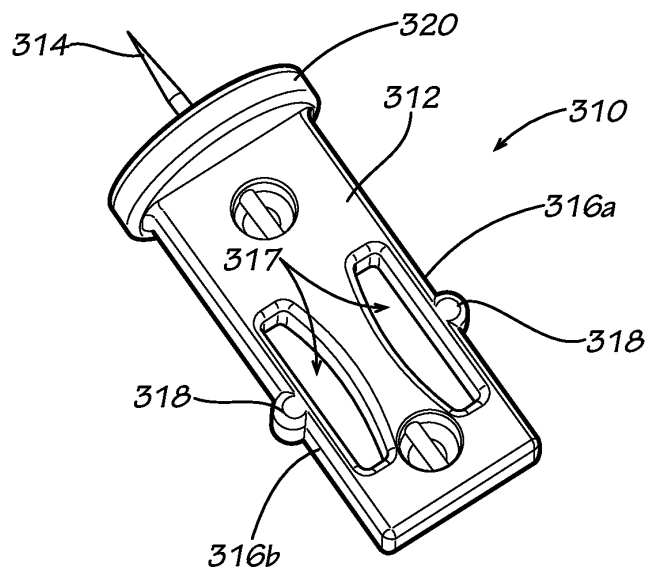


FIG. 3A

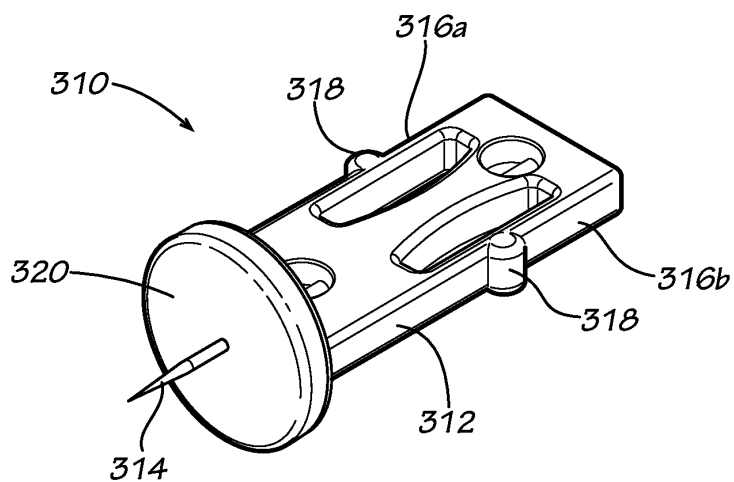


FIG. 3B

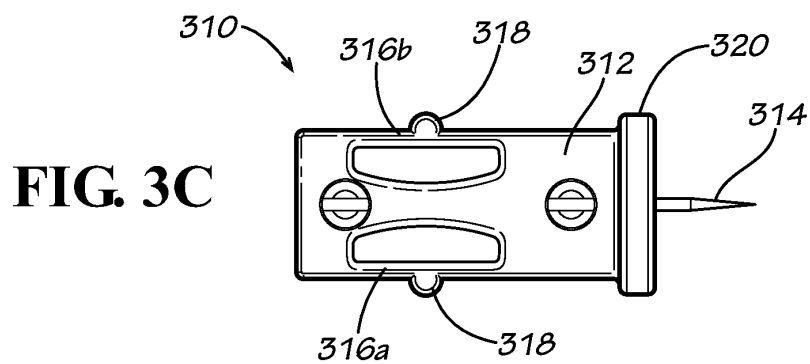


FIG. 3C

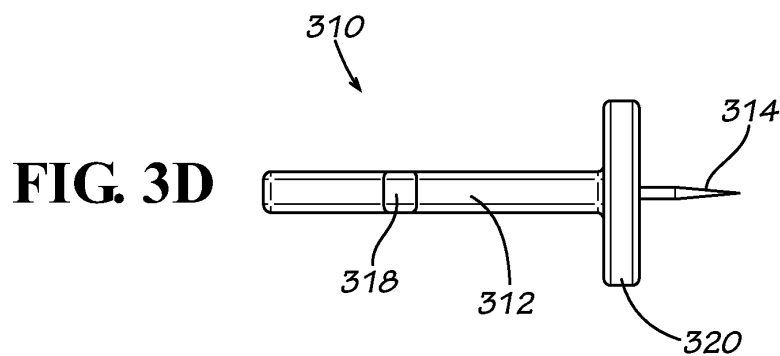


FIG. 3D

FIG. 4A

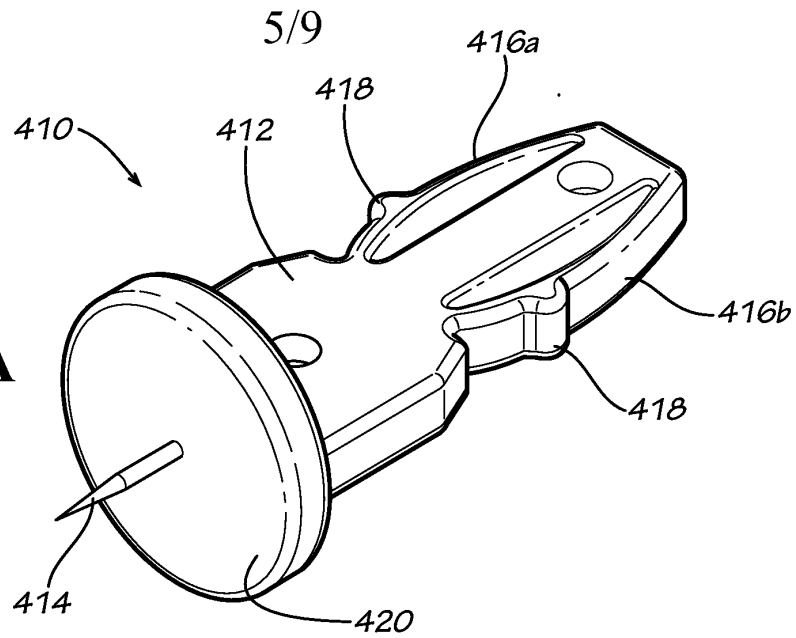


FIG. 4B

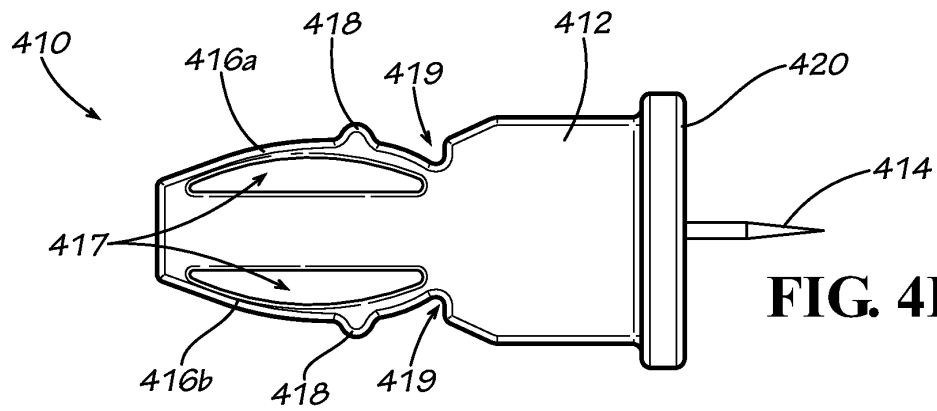


FIG. 4C

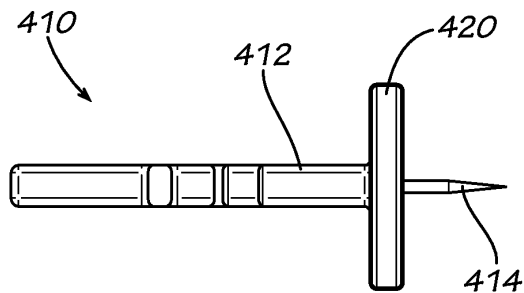
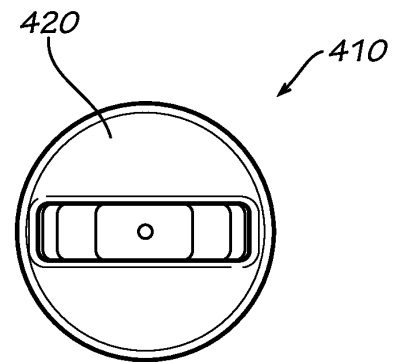


FIG. 4D



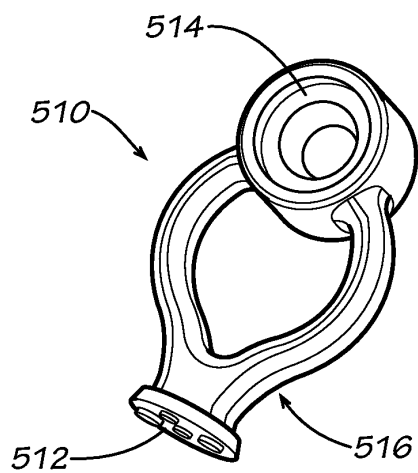


FIG. 5A

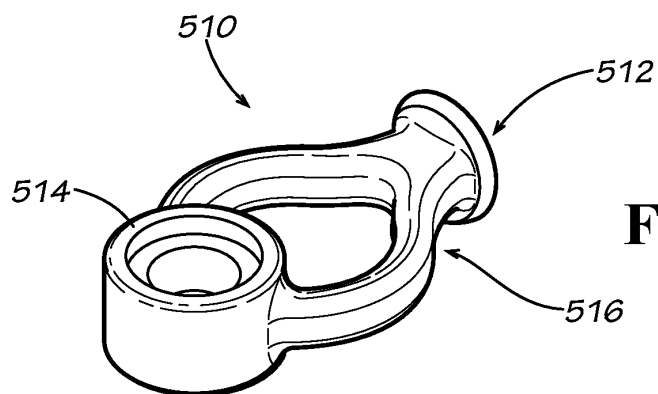


FIG. 5B

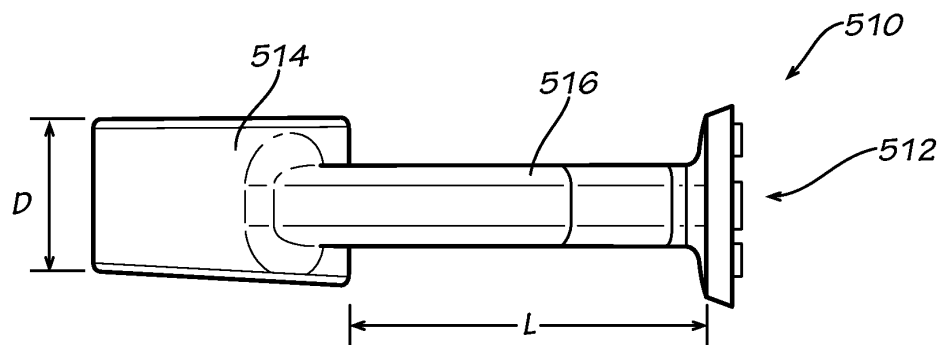


FIG. 5C

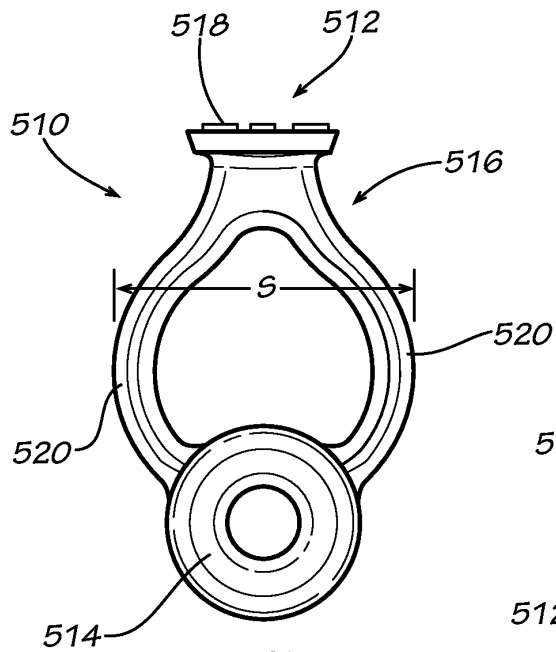


FIG. 5D

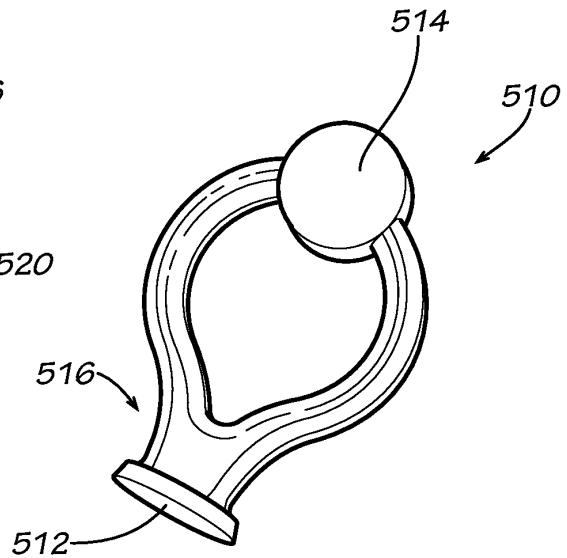


FIG. 5E

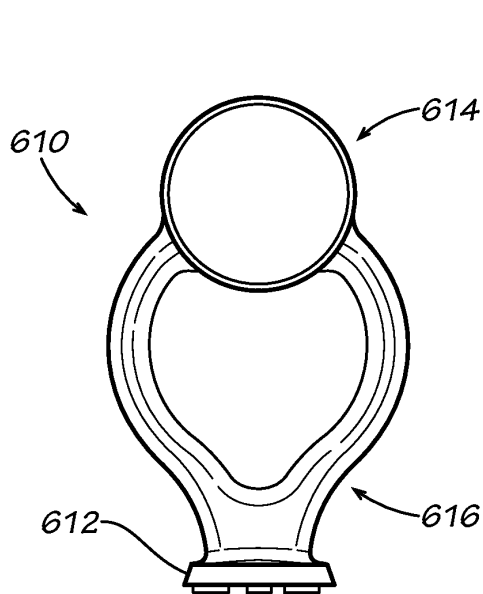


FIG. 6A

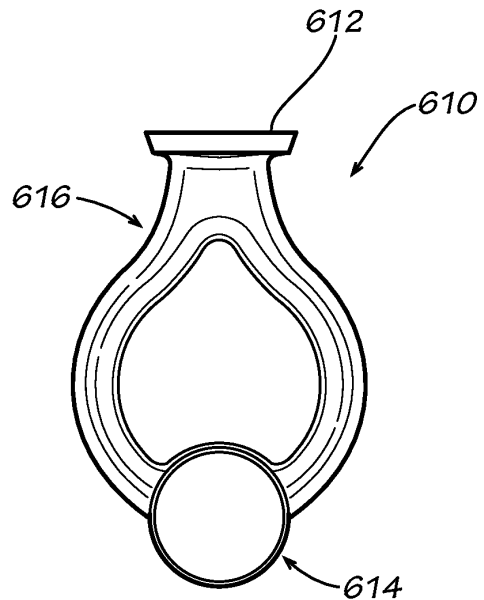
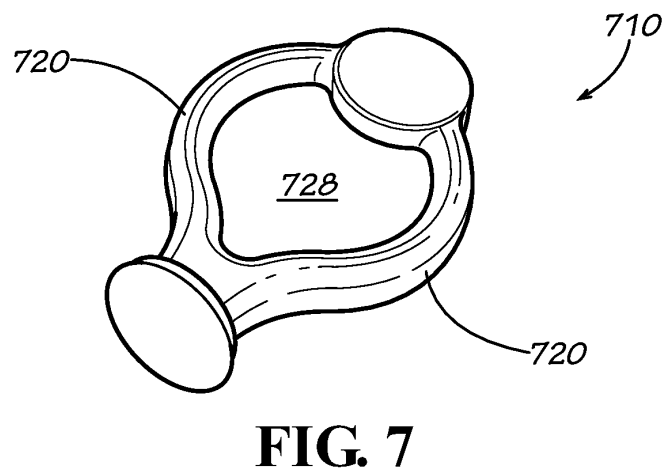
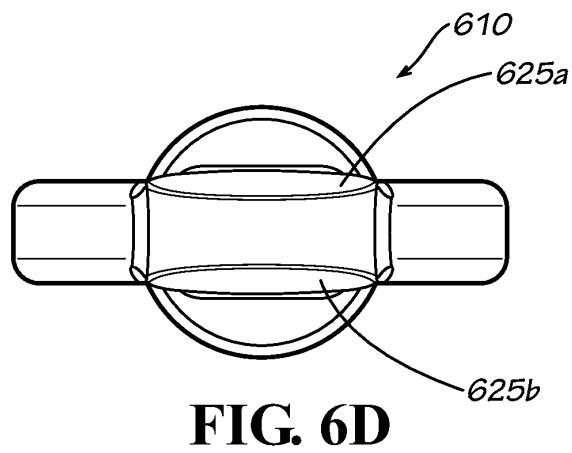
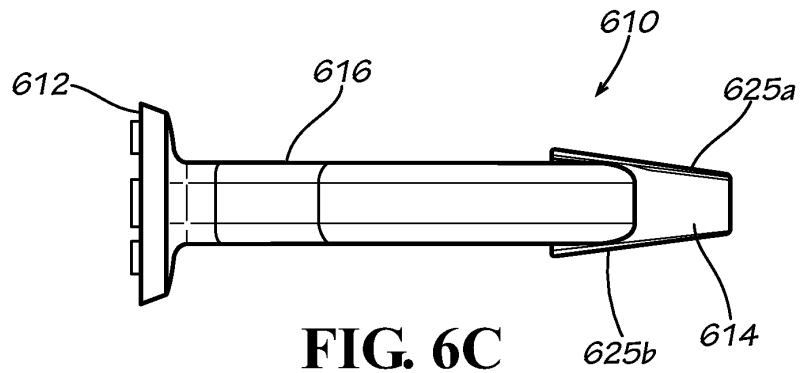
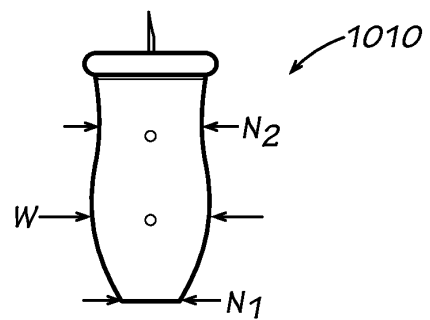
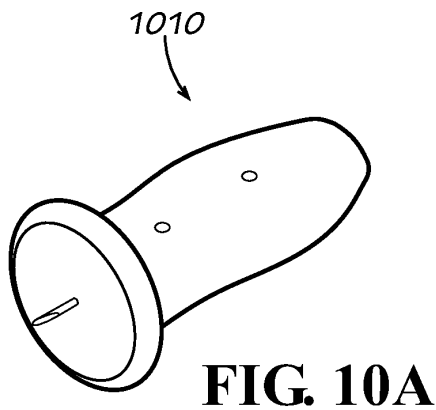
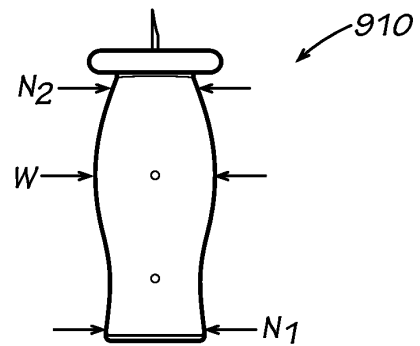
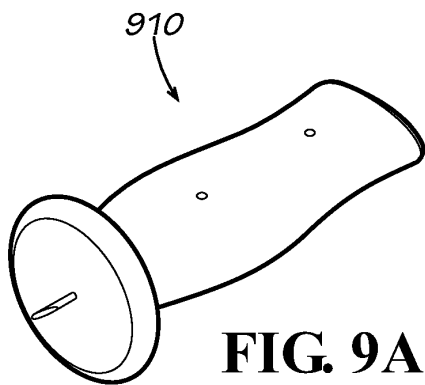
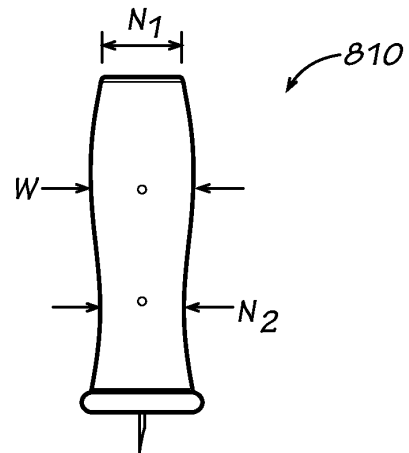
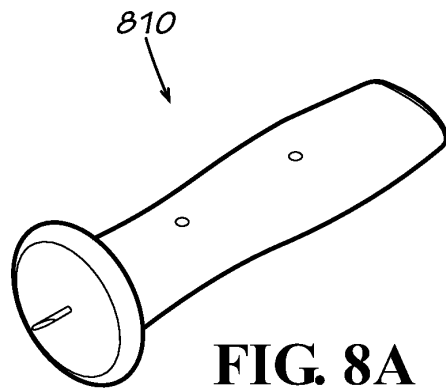


FIG. 6B





LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS

Cross-Reference to Related Application

[0001] This application is a divisional of U.S. Non-Provisional Patent Application Serial No. 13/293,409 filed November 10, 2011, which is a divisional of U.S. Non-Provisional Patent Application Serial No. 12/510,701 filed July 28, 2009, which claims the benefit of U.S. Provisional Patent Application Serial No. 61/084,456 filed July 29, 2008, the entireties of which are hereby incorporated herein by reference for all purposes.

Technical Field

[0002] The present invention relates generally to the field of medical devices, and more particularly to lancets and lancing devices for blood sampling and testing.

Background of the Invention

[0003] Lancets and lancing devices are utilized for penetrating the skin of a human or animal subject at a lancing site to obtain a sample of blood or other body fluid for medical testing, as in blood-typing or blood-glucose testing. Known lancing devices commonly include a housing containing a drive mechanism, a charging mechanism for energizing the spring or other drive means of the drive mechanism, and a release mechanism for releasing the drive mechanism upon actuation. A lancet is typically propelled by the drive mechanism from a retracted position shielded within the housing to an extended position wherein a sharp tip portion of the lancet projects from the housing to prick the subject's skin at a desired lancing site. An ejection mechanism can optionally be included for discharge of a used lancet from the lancing device.

[0004] The lancet is typically a disposable component that is removably mounted into a receiver or lancet carrier portion of the drive mechanism of a lancing device. A used

lancet typically is removed from the lancet carrier after sampling for disposal. A new, sterile lancet is then replaced into the lancet carrier for further sampling. Lancets typically comprise a sharp metal tip in the form of a needle or blade. The needle or blade is typically embedded in a plastic body that has a size and shape configured for releasable engagement with the receiver or lancet carrier of a lancing device. The sharp tip of the lancet is commonly embedded in a removable plastic cap to maintain sterility and prevent inadvertent sticks prior to use. The endcap may be replaceable onto the lancet after use to re-cover the sharp lancet tip for safety and hygienic purposes.

[0005] It is to the provision of improved lancets that the present invention is primarily directed.

Summary of the Invention

[0006] In example embodiments, the present invention provides improved lancet designs with various advantages over previously known lancets. In one aspect, the present invention relates to a lancet having one or more cantilevers or resilient coupling members, such as arms, fingers, barbs, flared portions, projections, or the like on the lancet body, for engagement with a cooperating coupling member of a lancing device, facilitating ease of insertion and ejection in use.

[0007] In another aspect, the present invention relates to a lancet having a sterility cap or protective cover with a handle or grip portion for assisting in removal of the cap for use of the lancet and/or for replacement of the cap onto a used lancet for disposal.

[0008] In still another aspect, the present invention relates to a sterility cap or protective cover for a lancet, the cap or cover having a handle for assisting in removal of the cap from the lancet, and/or for replacement of the cap onto a used lancet for disposal.

[0009] In another aspect, the present invention relates to a lancet having a lancet body with a smoothly curved side profile, having at least one crest and at least one trough

for engagement with cooperating coupling portions of a lancing device. An expanded disc or flange optionally projects from the lancet body to assist in ejection and removal of the lancet.

[0010] In another aspect, the invention relates to a lancet comprising a lancet body, a sharp lancing tip projecting from a first end of the lancet body, and at least one resilient coupling member for releasable engagement with a cooperating coupling member of a lancing device.

[0011] In yet another aspect, the invention relates to a protective sterility cap for a lancet, the sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, and a gripping handle portion extending from the primary sheath.

[0012] In another aspect, the invention relates to a lancet system including a lancet having a lancet body and a sharp lancing tip projecting from the lancet body, wherein the lancet body comprises at least one resilient coupling member and defines a lancet body thickness. The lancet system further includes an endcap having a primary shroud portion initially surrounding the sharp lancing tip of the lancet, a secondary shroud portion for placement over the sharp lancing tip of the lancet after use, and a handle portion extending between the primary shroud portion and the secondary shroud portion.

[0013] These and other aspects, features and advantages of the invention will be understood with reference to the drawing figures and detailed description herein, and will be realized by means of the various elements and combinations particularly pointed out in the appended claims. It is to be understood that both the foregoing general description and the following brief description of the drawings and detailed description of the invention are exemplary and explanatory of preferred embodiments of the invention, and are not restrictive of the invention, as claimed.

Brief Description of the Drawings

[0014] FIGURES 1A – 1C show an example embodiment of a lancet according to one form of the invention.

[0015] FIGURES 2A – 2C show an example embodiment of a lancet according to another form of the invention.

[0016] FIGURES 3A – 3D show an example embodiment of a lancet according to another form of the invention.

[0017] FIGURES 4A – 4D show an example embodiment of a lancet according to another form of the invention.

[0018] FIGURES 5A – 5E show an example embodiment of an endcap for a lancet according to one form of the invention.

[0019] FIGURES 6A – 6D show an example embodiment of an endcap for a lancet according to another form of the invention.

[0020] FIGURE 7 shows an example embodiment of an endcap for a lancet according to another form of the invention.

[0021] FIGURES 8A and 8B show an example embodiment of a lancet according to another form of the invention.

[0022] FIGURES 9A and 9B show an example embodiment of a lancet according to another form of the invention.

[0023] FIGURES 10A and 10B show an example embodiment of a lancet according to another form of the invention.

Detailed Description of Example Embodiments

[0024] The present invention may be understood more readily by reference to the following detailed description of the invention taken in connection with the accompanying

drawing figures, which form a part of this disclosure. It is to be understood that this invention is not limited to the specific devices, methods, conditions or parameters described and/or shown herein, and that the terminology used herein is for the purpose of describing particular embodiments by way of example only and is not intended to be limiting of the claimed invention. Any and all patents and other publications identified in this specification are incorporated by reference as though fully set forth herein.

[0025] Also, as used in the specification including the appended claims, the singular forms "a," "an," and "the" include the plural, and reference to a particular numerical value includes at least that particular value, unless the context clearly dictates otherwise. Ranges may be expressed herein as from "about" or "approximately" one particular value and/or to "about" or "approximately" another particular value. When such a range is expressed, another embodiment includes from the one particular value and/or to the other particular value. Similarly, when values are expressed as approximations, such as by use of the antecedent "approximately" or "about," it will be understood that the particular value forms another embodiment.

[0026] With reference now to the drawing figures, **FIGURES 1A – 1C** show a lancet 10 according to an example form of the invention. The lancet 10 includes a body portion 12 having a sharp lancet tip 14 projecting from a front or first end thereof, and one or more (two are depicted) resilient coupling members in the form of cantilevered fingers 16 projecting from sides of the body portion. The cantilevered fingers 16 have a base end connected proximal to the back or second end of the body portion, and a free end projecting outwardly and toward the front of the body portion. The cantilevered fingers 16 preferably taper outwardly from their base end toward their free end, thereby defining a smoothly tapered lead-in profile adjacent the back end of the lancet body for easier alignment during installation into a lancing device for use. The free end of each cantilevered finger optionally comprises a shoulder or barb 18 extending laterally outward

relative to the longitudinal axis of the lancet body 12. One or more ribs or protrusions 20 optionally project outwardly from upper and lower faces of the lancet body for engagement with an ejection member of the lancet to discharge a used lancet from the lancing device. The lancet body has a thickness T and a width W , with the width W preferably being at least about 1.5 times, and more preferably at least about twice the thickness T , thereby reducing potential twisting and misalignment of the lancet within the receiver of the lancing device during installation.

[0027] In use, the lancet 10 is installed into the receiver or lancet carrier of a lancing device by inserting the rear end into the receiver and pressing it axially into the lancet carrier. The cantilevered fingers 16 flex inwardly upon contact with cooperating portions of the receiver. The taper of the cantilevered fingers 16 provides guidance of the lancet during installation. As the lancet reaches its fully engaged position within the receiver, the cantilevered fingers 16 spring outwardly under their own resilience, and the shoulders or barbs 18 snap into engagement with cooperating portions of the receiver to positively engage the lancet carrier. Optionally, audible or tactile feedback indicates proper engagement of the lancet within the lancet carrier to the user. The cantilevered fingers 16 optionally also provide an interface between the lancet and the lancing device for ejection, wherein an ejection mechanism flexes the fingers inwardly and releases the lancet from the lancet carrier.

[0028] Figures 2A – 2C show a lancet 210 according to another example form of the invention. The lancet 210 includes a body portion 212 having a sharp lancet tip 214 projecting from a front or first end thereof, and one or more resilient coupling members in the form of flexible arches or loops 216a, 216b projecting outwardly from sides of the body portion and surrounding open hollows or cutout portions 217 of the lancet body portion 212. The flexible arches or loops are arranged in two opposed pairs, a larger forward pair 216a and a smaller rearward pair 216b, thereby defining an overall body profile tapering from wider at the forward end to narrower at the rearward end, and having a convex inward

recess at a medial portion between the forward and rearward pairs of flexible loops. In example embodiments, the maximum width of the lancet body portion at the rearward pair of flexible loops (undeformed) is at least about 1.1 times the minimum width at the inward recess of the medial portion, and the maximum width of the lancet body portion at the forward pair of flexible loops (undeformed) is at least about 1.2 times the minimum width at the inward recess of the medial portion. Each of the flexible arches or loops 216a, 216b optionally includes a shoulder or knob 218 at its outermost portion for positive engagement with a cooperating portion of the receiver of a lancing device. A flange or ring 220 is optionally provided extending transversely outward around at least a portion of the periphery of the front end of the lancet body 212 to provide an interface for lancet removal, either manually or by an ejection mechanism of the lancing device. The transitions 222 between the rear end of the lancet body and the sides of the lancet body optionally form a smoothly contoured arcuate or rounded profile, for guidance and ease of installation of the lancet into a lancing device.

[0029] Figures 3A – 3D show a lancet 310 according to another example form of the invention. The lancet 310 includes a body portion 312 having a sharp lancet tip 314 projecting from a front or first end thereof, and one or more (one opposed pair is depicted) resilient coupling members in the form of flexible panels or body portions 316a, 316b projecting outwardly from sides of the body portion. Each of the flexible panels or body portions 316a, 316b optionally includes a bulb or knob 318 at its outermost portion for positive engagement with a cooperating portion of the receiver of a lancing device. The body 312 of the lancet defines a generally rectangular profile, having substantially flat or planar upper and lower faces and sides, with the outer faces of the flexible panels 316a, 316b forming generally continuous segments of the flat sides of the body 312 bounding open hollows or cutout portions 317 of the lancet body portion 312. The cutouts 317 preferably have a transverse dimension equal or greater than the outward projection of the knob 318. A flange or ring 320 is optionally provided extending transversely outward around

at least a portion of the periphery of the front end of the lancet body 312 to provide an interface for lancet removal, either manually or by an ejection mechanism of the lancing device.

[0030] Figures 4A – 4D show a lancet 410 according to another example form of the invention. The lancet 410 includes a body portion 412 having a sharp lancet tip 414 projecting from a front or first end thereof, and one or more (one opposed pair is depicted) resilient coupling members in the form of flexible arches or loops 416a, 416b projecting outwardly from sides of the body portion and enclosing open hollows or cutout portions 417 of the lancet body portion 412. The flexible arches or loops 416a, 416b have first and second ends connected to the lancet body and medial portions between the first and second ends separated a distance from the lancet body to define the open hollows 417 therebetween. The flexible arches or loops 416a, 416b are positioned adjacent the rear end of the body portion 412 of the lancet, with their distal ends forming a smoothly curving or arcuate lead-in portion for guidance and ease of insertion and removal of the lancet from the receiver of a lancing device. Each of the flexible arches or loops 416a, 416b optionally includes an outwardly projecting bulb or knob 418 at its outermost portion for positive engagement with a cooperating portion of the receiver of a lancing device. An inwardly directed recess 419 is defined at the forward extent of the loops 416, along the lateral sides of the lancet body. A flange or ring 420 is optionally provided, extending transversely outward around at least a portion of the periphery of the front end of the lancet body 412 to provide an interface for lancet removal, either manually or by an ejection mechanism of the lancing device.

[0031] The flexibility of the opposed resilient coupling members arranged symmetrically on either side of the lancet body in the various embodiments “absorbs” tolerances in dimensions of the lancet and the cooperating receiver of the lancing device, automatically adjusting the fit and alignment of the lancet to the lancing device and providing smoother installation and removal of the lancet to and from the lancing device.

Imprecise alignment of the lancet in the lancet carrier may result in increased pain sensation by the subject. Thus, by maintaining proper alignment of the lancet within the lancing device, with the lancet tip moving substantially entirely axially along the lancing stroke, with little or no transverse wobble, rotation or twisting movement, the lancet of the present invention may result in a lower-pain lancing procedure, potentially improving compliance with a prescribed testing regimen.

[0032] The improved design of the lancet of the present invention also readily allows adjustment of the forces required for insertion and removal of the lancet to and from the lancing device, by selective variation of the material stiffness, thickness, and/or location of the resilient coupling members. The tapered shape of the lancet body aids in installation and ejection of the lancet. Also, the tapered body contour and positive engagement features provided by the resilient coupling members enable a shorter lancet ejection stroke of the ejection mechanism of a lancing device, as the lancet is more rapidly disengaged by inward flexure of the resilient coupling members than many previously known lancet designs utilizing friction engagement of the lancet within the receiver of the lancing device.

[0033] The lancet of the present invention further enables the provision of a more simplified lancet receiver or carrier in a cooperating lancing device. The various forms of lancet designs according to the present invention allow a unique or proprietary matching lancet and lancet receiver or carrier, whereby only lancets of the specified design will fit and engage within the receiver or carrier of a corresponding lancing device. In this manner, the user can be assured of the type and/or source of the lancet being used, including its quality, sterility, size, format and/or other characteristics. Additionally, the positive engagement mechanism of the resilient coupling members within the lancet carrier reduce the chances of partial or incomplete insertion of the lancet into the lancing device, as the lancets may be configured to click or snap into position notifying the user of complete insertion.

[0034] **Figures 5A – 5E** show a protective / sterility cap or cover 510 for a lancet according to an example form of the present invention. The cap or cover 510 includes a first or primary shroud or sheath portion 512 for receiving and protecting the sharp tip of a lancet in its initial or unused state, a secondary shroud or sheath portion 514 for receiving and protecting the sharp tip of a lancet in its final or used state, and a “handle” or extension arm portion 516 extending between the primary and secondary shrouds for assisting in removal of the cap from the lancet, and/or for replacement of the cap onto a used lancet for disposal. The handles allow for the body of the lancet to be smaller than a Regular Version (RV) lancet, allowing the corresponding lancing devices to be smaller. The sterility caps optionally have one or more readily visible circular or flat areas that can be used for applying branding/logos, and are positioned so that the user can replace the cap by inserting the exposed sharp of the lancet therein before disposal.

[0035] The primary shroud or sheath portion 512 comprises a wide circular flange or ring at one end of the sterility cap 510, which abuts, confronts or interfaces with the front end of the lancet body in the lancet’s original, unused state. In example forms of the invention, the sterility cap 510 is integrally molded with the lancet body. One or more spacer ribs or breakaway connections 518 are optionally provided, extending from the primary shroud or sheath portion 512 to the front end of the lancet body. Intact spacer ribs or breakaway connections 518 indicate an unused lancet, whereas broken spacer ribs or breakaway connections 518 indicate the lancet may have been used and therefore may not be sterile. The wide circular flange or ring of the primary shroud or sheath portion 512 may also assist in lancet insertion into the lancing device, providing a hard stop against a cooperating portion of the lancing device for consistent placement, and/or providing a surface against which the user presses during installation.

[0036] The secondary shroud or sheath portion 514 comprises a cup having an outer rim and a hollow interior chamber. When sharp lancet tip of the lancet is placed into the secondary shroud or sheath portion 514 after use of the lancet, the lancet tip is

received within the hollow interior chamber of the cup, and protected from inadvertent contact by the outer rim. One or more retainers or couplings are optionally provided within the cup of the secondary shroud or sheath portion 514 for engagement with cooperating portions of the lancet body to retain the sterility cap 510 in place on the lancet. The secondary shroud or sheath portion 514 has a depth D greater than the length of the exposed portion of the lancet tip extending beyond the lancet body to prevent the lancet tip from extending through the secondary shroud or sheath portion.

[0037] The handle or extension arm portion 516 defines a forked or split configuration having first and second arms 520 transversely spaced apart from one another, with an open center portion therebetween. This forked arrangement provides the handle with a greater width, allowing the user to more easily twist the endcap during removal from the lancet. In example forms, the lateral or transverse span S of the forked handle portion 516 is at least about 1.5 times, and more preferably at least about 2 times the diameter or thickness of the lancet body. In example forms, the length L of the handle portion is at least equal to the span S , and/or is greater than the depth D of the secondary shroud 514, and/or is greater than the diameter or thickness of the lancet body. The provision of the elongate handle portion 516 allows the user to grab the lancet further from the needle during decapping and disposal, providing a larger safety margin from the needle tip, protecting the patient and other persons handling the lancet from accidental needle sticks. Additionally, the expanded dimensions of the endcap allow for easier use by persons with limited dexterity or vision, and permit the use of smaller lancets with lower mass and/or finer gauge needles, which may reduce pain.

[0038] Figures 6A – 6D show a protective / sterility cap or cover 610 for a lancet according to another example form of the present invention. The cap or cover 610 includes a first or primary shroud or sheath portion 612 for receiving and protecting the sharp tip of a lancet in its initial or unused state, a secondary shroud or sheath portion 614

for receiving and protecting the sharp tip of a lancet in its final or used state, and a “handle” or extension arm portion 616 extending between the primary and secondary shrouds. The secondary shroud or sheath portion 614 comprises a disc having tapered flat panels 625a, 625b on either side for embedding the sharp lancet tip therein. Optionally, the disc having tapered flat panels serves as a gripping portion of the handle and/or as a display surface only, and not as a shroud or sheath for the needle, in which case the needle is replaced into the first or primary shroud or sheath portion after use.

[0039] Figure 7 shows a protective / sterility cap or cover 710 substantially similar to the above-described forms, but having a thin solid panel 728 extending between the first and second arms 720 of the handle portion, which may reduce the likelihood of tangling of lancets within a package during shipping and storage.

[0040] The protective / sterility cap or cover provides an intuitive modality for users to grab when handling a lancet. Additionally, the larger surface area provided by the protective / sterility cap, as compared to previously known designs, makes it easier to locate, especially for users with reduced visual acuity; and renders it easier to pick up off of a flat surface or out of a container, which is particularly advantageous for users with reduced manual dexterity.

[0041] Figures 8A and 8B, 9A and 9B, and 10A and 10B show lancets 810, 910 and 1010, respectively, according to additional forms of the invention. These lancets include a lancet body that allows for the lancet to be inserted into the device and snapped into position. Each of these variations includes a lancet body with a wave-shaped or concave/convex peripheral profile, with a first narrower dimension N_1 proximal the rear end of the lancet, a wider dimension W around the middle of the lancet, and a second narrower dimension N_2 toward the forward end. In example forms, the wider dimension W is at least about 1.1 times, and optionally at least about 1.2 times, the lesser of the narrower dimensions N_1 or N_2 . The lancet body is optionally generally flattened, having a width that

is substantially greater than its thickness, in example forms having an aspect ratio of the width relative to the thickness of at least about 3:2. The wavy design of the lancet body is shaped so that it snaps into engagement with a cooperating coupling of the lancing device at the narrower section *N* of the lancet body and/or fits snugly at the wider section *W* and is easy to eject due to the smooth curves and transitions on the lancet body.

[0042] The lancet body can be formed of a resilient material and/or the receiver of the lancing device can comprise a resilient coupling for releasable engagement therebetween. Optionally, the lancet body comprises one or more hollow chambers or cutout portions for additional flexure and deformation in coupling with the lancing device. The lancet body design also is curvy and appealing to the user, preferably having a smoothly contoured outer lancet body profile without sharp corners, which may appear less intimidating to a user and more “friendly” and “painless,” thereby reducing the appearance or perception to the user of being a lancet that causes pain. The smooth shape of the lancet provides positive tactile feedback, and does not have any sharp edges to remind the user of a regular lancet. The curved design is easy to pick up off of many different surfaces, and the disc at the front of the lancet allows for easier grip for manual removal from the lancing device and can be used of lancet ejection. Troughs on the lancet body allow for attachment areas that interact with the lancing device to hold the lancet in place, and crests on the lancet body allow for press fit/friction fit of the lancet into the lancing device. The positioning and configuration of these attachment points on the lancet allow for shorter ejection strokes for lancet removal.

[0043] The present invention also encompasses a lancet system comprising a lancet according to any of the forms disclosed herein, in combination with a protective sterility cap according to any of the forms disclosed herein. In its original unused state, the lancet system is configured with the sharp lancet tip of the lancet embedded in the primary shroud or sheath portion of the sterility cap. The user installs the lancet into a corresponding

lancing device by gripping the lancet system by the handle portion of the cap and inserting the back end of the lancet into the receiver of the lancing device until the resilient coupling members positively engage with cooperating engagement portions the receiver. The endcap is then removed, as for example by twisting and pulling the shroud off of the lancet tip. After use, the endcap may be replaced to cover the sharp lancet tip by embedding or enclosing the lancet tip into the secondary shroud or sheath portion of the endcap.

[0044] While the invention has been described with reference to preferred and example embodiments, it will be understood by those skilled in the art that a variety of modifications, additions and deletions are within the scope of the invention, as defined by the following claims.

What is Claimed is:

1. A protective sterility cap for a lancet, said sterility cap comprising a primary sheath for initial embedment of a sharp lancing tip of an unused lancet therein, and a gripping handle portion extending from the primary sheath.
2. The protective sterility cap of Claim 1, in combination with a lancet.
3. The protective sterility cap of Claim 1, further comprising a secondary sheath for receiving the sharp lancing tip of a used lancet, the gripping handle portion extending between the primary sheath and the secondary sheath.
4. The protective sterility cap of Claim 1, further comprising at least one flat display surface for placement of branding indicia thereon.
5. The protective sterility cap of Claim 1, wherein the gripping handle portion comprises at least one open loop.
6. The protective sterility cap of Claim 1, wherein the gripping handle portion comprises a solid body without an open loop.
7. The protective sterility cap of Claim 1, in combination with a lancet having a lancet body defining a lancet thickness, and a sharp lancet tip initially embedded in the primary sheath, wherein the gripping handle portion defines a lateral span of at least 1.5 times the lancet thickness.
8. The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to its lateral span.
9. The protective sterility cap of Claim 7, wherein the gripping handle portion defines a length at least equal to the lancet thickness.

10. A lancet system comprising:
 - a lancet having a lancet body and a sharp lancing tip projecting from the lancet body, wherein the lancet body comprises at least one resilient coupling member and defines a lancet body thickness; and
 - an endcap having a primary shroud portion initially surrounding the sharp lancing tip of the lancet, a secondary shroud portion for placement over the sharp lancing tip of the lancet after use, and a handle portion extending between the primary shroud portion and the secondary shroud portion.
11. The lancet system of Claim 16, wherein the at least one resilient coupling member comprises an opposed pair of resilient coupling members.
12. The lancet system of Claim 16, wherein the at least one resilient coupling member comprises first and second opposed pairs of resilient coupling members.
13. The lancet system of Claim 16, wherein the at least one resilient coupling member comprises a cantilevered finger having a first end connected to the lancet body and a second free end extending away from the lancet body.
14. The lancet system of Claim 16, wherein the at least one resilient coupling member comprises a flexible loops having first and second ends connected to the lancet body and a medial portion between the first and second ends separated a distance from the lancet body to define an open hollow.
15. The lancet system of Claim 16, wherein the at least one resilient coupling member comprises a flexible panel of the lancet body.
16. The lancet system of Claim 16, wherein the handle portion of the endcap has a lateral span of at least 1.5 times the lancet body thickness.

17. The protective sterility cap of Claim 22, wherein the handle portion of the endcap defines a length at least equal to its lateral span.
18. The protective sterility cap of Claim 22, wherein the handle portion of the endcap defines a length at least equal to the lancet thickness.

ABSTRACT

Improved lancet configurations and protective lancet endcap configurations are disclosed. In example forms, one or more flexing cantilevers project from the lancet body for coupling with a cooperating receiver of a lancing device. A gripping handle extends from a sterility cap for ease of removal from and replacement over the lancet tip. A lancet body has a smoothly curved wave contour with at least one crest and at least one trough for engagement with a cooperating receiver of a lancing device.

Electronic Acknowledgement Receipt	
EFS ID:	14211439
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff
Filer Authorized By:	
Attorney Docket Number:	2G02.1-453
Receipt Date:	13-NOV-2012
Filing Date:	
Time Stamp:	13:53:09
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	Transmittal of New Application	07_Utility_App_Transmittal.pdf	88253 66642240eb36dcdb0a853967b3abeb6d263a12c7	no	1
Warnings:					
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2	Application Data Sheet	08_Application_Data_Sheet.pdf	1396957 aff40d193f70f1854c70a2011c110aa4af500344	no	7
Warnings:					
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3	Oath or Declaration filed	03_Signed_Declaration_Pusey.pdf	113590 03f2f6e713582355230e7953cc9aa2aa7aad0529	no	1
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5		01_Div_Patent_App.pdf	75744 fa2ec05ab30ebc0718bfa248a974c31453fa1ba7	yes	18
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Electronic Patent Application Fee Transmittal				
Application Number:		13675209		
Filing Date:				
Title of Invention:		LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS		
First Named Inventor/Applicant Name:		Lauren R. PUSEY		
Filer:		Bradley Groff/Roseanne Hall		
Attorney Docket Number:		2G02.1-453		
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:	14214419
Application Number:	13675209
International Application Number:	
Confirmation Number:	7876
Title of Invention:	LANCETS WITH IMPROVED COUPLING FEATURES AND STERILITY CAPS
First Named Inventor/Applicant Name:	Lauren R. PUSEY
Customer Number:	23506
Filer:	Bradley Groff/Roseanne Hall
Filer Authorized By:	Bradley Groff
Attorney Docket Number:	2G02.1-453
Receipt Date:	13-NOV-2012
Filing Date:	
Time Stamp:	14:54:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$598
RAM confirmation Number	1510
Deposit Account	501513
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1	Fee Worksheet (SB06)	fee-info.pdf	37068	no	2
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