

Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed		PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	
Application Number	16059434	
Filing Date	09-Aug-2018	
First Named Inventor	Shawn Stapleton	
Attorney Docket Number	091172-1100459-102450US	
Title of Invention	DISTRIBUTED ANTENNA SYSTEM	
☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action ☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.		
Owner	Percent Interest	
Dali Wireless, Inc.	100%	
The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s) 10080178 as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.		

☐ I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.	
Applicant claims the following fee status: ☒ Small Entity ☐ Micro Entity ☐ Regular Undiscounted	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am: ☒ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application Registration Number <u>57535</u> ☐ A sole inventor ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application ☐ A joint inventor; all of whom are signing this request	
Signature	/Kelvin B. Catmull/
Name	Kelvin B. Catmull

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Electronic Patent Application Fee Transmittal				
Application Number:		16059434		
Filing Date:		09-Aug-2018		
Title of Invention:		DISTRIBUTED ANTENNA SYSTEM		
First Named Inventor/Applicant Name:		Shawn Patrick Stapleton		
Filer:		Kelvin B. Catmull		
Attorney Docket Number:		091172-1100459-102450US		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
STATUTORY OR TERMINAL DISCLAIMER	2814	1	160	160
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				160

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 16059434

Filing Date: 09-Aug-2018

Applicant/Patent under Reexamination: Stapleton

Electronic Terminal Disclaimer filed on April 17, 2019

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt	
EFS ID:	35741503
Application Number:	16059434
International Application Number:	
Confirmation Number:	2049
Title of Invention:	DISTRIBUTED ANTENNA SYSTEM
First Named Inventor/Applicant Name:	Shawn Patrick Stapleton
Customer Number:	20350
Filer:	Kelvin B. Catmull
Filer Authorized By:	
Attorney Docket Number:	091172-1100459-102450US
Receipt Date:	17-APR-2019
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Time Stamp:	14:48:33
Application Type:	Utility under 35 USC 111(a)

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Deposit Account	201430
Authorized User	Kelvin Catmull
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: 37 CFR 1.16 (National application filing, search, and examination fees) 37 CFR 1.17 (Patent application and reexamination processing fees)	

37 CFR 1.19 (Document supply fees)
 37 CFR 1.20 (Post Issuance fees)
 37 CFR 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	Terminal Disclaimer-Filed (Electronic)	eTerminal-Disclaimer.pdf	33508	no	2
			bd0d3e0baf19ae4ceab4e64c263368526489092d		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30701	no	2
			f21805439abbba0905d4962cad085f024ba2a374		

Warnings:

Information:

Total Files Size (in bytes):	64209
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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.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/059,434	08/09/2018	Shawn Patrick Stapleton	091172-1100459-102450US	2049
20350 7590 02/21/2019 KILPATRICK TOWNSEND & STOCKTON LLP Mailstop: IP Docketing - 22 1100 Peachtree Street Suite 2800 Atlanta, GA 30309			EXAMINER ZHAO, WEI	
			ART UNIT 2473	PAPER NUMBER
			NOTIFICATION DATE 02/21/2019	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):

KTSDocketing2@kilpatrick.foundationip.com
ipefiling@kilpatricktownsend.com

DETAILED ACTION

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

Priority

2. Acknowledgment is made of this is a continuation of U.S. Patent Application No. 15/223,819 filed July 29, 2016, now US 10,080,178, which is a continuation of U.S. Patent Application No. 14/800,515 filed July 15, 2015, now US 9,419,837, which is a continuation of U.S. Patent Application No. 14/260,145 filed April 23, 2014, now US 9,137,078, which is a continuation of U.S. Patent Application No. 13/211,247 filed August 16, 2011, now US 8,737,300, which claims the benefit of U.S. Provisional Patent Application No. 61/439,940, filed February 7, 2011.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on August 9, 2018 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The term “Common Public Interface Standard (CPRI)” is used in paragraph [0056]. It is suggested amending the term to “Common Public Interface Standard (CPIS),” since the acronym “CPRI” is commonly used for “Common Public Radio Interface”.

Claim Rejections - 35 USC § 112

5. The following is a quotation of 35 U.S.C. 112(b):

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 12 rejected under 35 U.S.C. 112(b).

Regarding claim 12, it recites the Common Public Radio Interface standard without reference to a specific edition and/or publication date for the particular standard. Since the underlying standard may change over time, the scope of the claim(s) may also change over time which renders the claim(s) indefinite.

Applicant may overcome this rejection by amending the claim(s) to include a specific edition and/or publication date of the particular claimed standard.

Double Patenting

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory

obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claim 10 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 10 of U.S. Patent No. 10,080,178.

Regarding claim 10, it recites, "A system for transporting wireless communications, comprising:

a baseband unit;

a plurality of signal sources, including at least a first signal source and a second signal source;

a plurality of remote units, including at least a first remote unit and a second remote unit;

wherein the baseband unit comprises a plurality of interfaces to communicatively couple the baseband unit to the plurality of signal sources;

wherein the baseband unit is configured to receive a plurality of radio resources from the first signal source and the second signal source;

wherein the baseband unit is configured to send a digital representation of a first set of radio resources to the first remote unit at a first point in time, the first set of radio resources for transmission at an antenna of the first remote unit;

wherein the baseband unit is configured to send a digital representation of a second set of radio resources to the first remote unit at a second point in time, the second set of radio resources for transmission at the antenna of the first remote unit;

wherein a number of radio resources in the first set of radio resources is different from a number of radio resources in the second set of radio resources; and

wherein the baseband unit is configured to receive digital signals from each of the plurality of remote units.”

Claim 10 of U.S. Patent No. 10,080,178 recites, “A system for transporting wireless communications, comprising:

a host unit;

a plurality of remote units, including at least a first remote unit and a second remote unit;

wherein the host unit comprises at least one interface to communicatively couple the host unit to at least one signal source;

wherein the host unit is configured to receive a plurality of downlink channel signals from the at least one signal source;

wherein the host unit is configured to send digital representations of the plurality of downlink channel signals to the plurality of remote units;

wherein the host unit is configurable to send digital representations of a first set of downlink channel signals to the first remote unit at a first point in time, the first set of downlink channel signals for transmission at an antenna of the first remote unit;

wherein the host unit is configurable to send digital representations of a second set of downlink channel signals to the first remote unit at a second point in time, the second set of downlink channel signals for transmission at the antenna of the first remote unit;

wherein a number of downlink channel signals in the first set of downlink channel signals is different from a number of downlink channel signals in the second set of downlink channel signals; and

wherein the host unit is configured to receive digital signals from each of the plurality of remote units.”

Based on the limitations presented above, claim 10 of the instant application claims similar elements in claim 10 of U.S. Patent No. 10,080,178, by using different wordings, such as using “a baseband unit” instead of “a host unit.” Therefore, claim 10 of the instant application would be obvious to one skilled in the art based on claim 10 of the patent.

The same rationale applies to claims 11, 18, 19, 24, and 29 as follows:

9. Claim 11 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 11 of U.S. Patent No. 10,080,178.
10. Claim 18 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 10,080,178.
11. Claim 19 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 9 of U.S. Patent No. 10,080,178.
12. Claim 24 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 15 of U.S. Patent No. 10,080,178.

13. Claim 29 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 19 of U.S. Patent No. 10,080,178.

Allowable Subject Matter

14. Claims 10-29 would be allowable if the rejections under 35 U.S.C. 112(b) and double patenting overcome. The following is the reason for examiner's statement of allowance:

The closest prior art on record, Sulzberger et al. (US 2005/0152695) and Boldi et al. (US 8,855,489) are generally directed to various aspects of the radio base station with multiple radio frequency heads; and the communications method between a main station and processing nodes includes interconnecting the main station and the nodes in an optical path defining adjacent nodes and non-adjacent nodes.

However, in consideration of the information disclosure statement submitted August 9, 2018 and further search, no prior art reference or a combination of prior art references disclose or suggest the combination of limitations specified in the independent claims including:

"wherein the baseband unit is configured to send a digital representation of a second set of radio resources to the first remote unit at a second point in time, the second set of radio resources for transmission at the antenna of the first remote unit;" and "wherein a number of radio resources in the first set of radio resources is different from a number of radio resources in the second set of radio resources," in claim 10.

Claim 18 includes similar limitations.

“transmitting from the baseband unit, at a second point in time, a digital representation of a second set of radio resources to the first remote unit, the second set of radio resources for transmission at the antenna of the first remote unit;” and “wherein a number of radio resources in the first set of radio resources is different from a number of radio resources in the second set of radio resources,” in claim 24.

Dependent claims 11-17, 19-23, and 25-29 are also allowable for incorporating the features recited in the independent claims.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Sulzberger et al. (US 2005/0152695) is generally directed to various aspects of the radio base station with multiple radio frequency heads;

Boldi et al. (US 8,855,489) is directed to the communications method between a main station and processing nodes includes interconnecting the main station and the nodes in an optical path defining adjacent nodes and non-adjacent nodes;

Callard et al. (US 2009/0060088) is cited to show a method for detecting the number of transmit antennas in a base station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WEI ZHAO whose telephone number is (571)270-5672. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang B. Yao can be reached on 5712723182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/WEI ZHAO/
Primary Examiner, Art Unit 2473

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on February 11, 2019.

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Vanessa M. Aguilar/

PATENT
Attorney Docket No.: 091172-1100459-102450US
Client Ref. No.: DW-1024-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shawn Patrick Stapleton et al.

Application No.: 16/059,434

Filed: August 9, 2018

For: DISTRIBUTED ANTENNA SYSTEM

Customer No.: 20350

Confirmation No.: 2049

Examiner: Wei Zhao

Technology Center/Art Unit: 2473

PRELIMINARY AMENDMENT

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

Commissioner:

Prior to examination of the above-referenced application, please enter the following
amendments and consider the following remarks:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of
this paper.

Remarks/Arguments begin on page 6 of this paper.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. – 9. (Canceled)

10. A system for transporting wireless communications, comprising:
a baseband unit;
a plurality of signal sources, including at least a first signal source and a second signal source;
a plurality of remote units, including at least a first remote unit and a second remote unit;
wherein the baseband unit comprises a plurality of interfaces to communicatively couple the baseband unit to the plurality of signal sources;
wherein the baseband unit is configured to receive a plurality of radio resources from the first signal source and the second signal source;
wherein the baseband unit is configured to send a digital representation of a first set of radio resources to the first remote unit at a first point in time, the first set of radio resources for transmission at an antenna of the first remote unit;
wherein the baseband unit is configured to send a digital representation of a second set of radio resources to the first remote unit at a second point in time, the second set of radio resources for transmission at the antenna of the first remote unit;
wherein a number of radio resources in the first set of radio resources is different from a number of radio resources in the second set of radio resources; and
wherein the baseband unit is configured to receive digital signals from each of the plurality of remote units.

11. The system of claim 10 wherein the baseband unit is configured to packetize each digital representation of a radio resource.

12. The system of claim 10 wherein the baseband unit is configured to packetize each digital representation of a radio resource in compliance with the Common Public Radio Interface (CPRI) standard.

13. The system of claim 10 wherein the digital representation of the first set of radio resources includes destination information identifying the first remote unit and the digital representation of the second set of radio resources includes destination information identifying the first remote unit.

14. The system of claim 10 wherein the first set of radio resources is a subset of the plurality of radio resources and includes at least some radio resources from the first signal source and at least some radio resources from the second signal source.

15. The system of claim 10 wherein the baseband unit and at least one of the plurality of signal sources are part of a baseband controller.

16. The system of claim 10 wherein the baseband unit further comprises at least one interface to communicatively couple the baseband unit to one or more additional baseband units.

17. The system of claim 16 wherein the one or more additional baseband units includes a plurality of additional baseband units, and the baseband unit is connected to at least a first one of the plurality of additional baseband units through a direct connection and at least a second one of the plurality of additional baseband units through an indirect connection.

18. A baseband controller for use in the transport of wireless communications, comprising:

a plurality of interfaces to communicatively couple a baseband unit to a plurality of signal sources, including at least a first signal source and a second signal source;

at least one interface to communicatively couple the baseband unit to a plurality of remote units, including at least a first remote unit;

wherein the baseband unit is configured to receive a plurality of radio resources from the first signal source and the second signal source;

wherein the baseband unit is configured to send digital representations of a first set of radio resources to the first remote unit at a first point in time, the first set of radio resources for transmission at an antenna of the first remote unit;

wherein the baseband unit is configured to send digital representations of a second set of radio resources to the first remote unit at a second point in time, the second set of radio resources for transmission at the antenna of the first remote unit; and

wherein a number of radio resources in the first set of radio resources is different from a number of radio resources in the second set of radio resources.

19. The baseband controller of claim 18 wherein the baseband unit is configured to packetize each digital representation of a radio resource.

20. The baseband controller of claim 18 wherein the digital representation of the first set of radio resources includes destination information identifying the first remote unit and the digital representation of the second set of radio resources includes destination information identifying the first remote unit.

21. The baseband controller of claim 18 wherein the first set of radio resources is a subset of the plurality of radio resources and includes at least some radio resources from the first signal source and at least some radio resources from the second signal source.

22. The baseband controller of claim 18 wherein the baseband unit further comprises at least one interface to communicatively couple the baseband unit to one or more additional baseband units.

23. The baseband controller of claim 18 wherein the plurality of radio resources include a first composite signal from the first signal source and a second composite signal from the second signal source, and the baseband unit is configured to form the digital representation of the first set of radio resources from a first subset of the first composite signal and a second subset of the second composite signal.

24. A method for providing digital signals in a Distributed Antenna System (DAS), comprising:

receiving at a baseband unit, from a plurality of signal sources including at least a first signal source and a second signal source, a plurality of radio resources;

transmitting from the baseband unit, at a first point in time, a digital representation of a first set of radio resources to a first remote unit, the first set of radio resources for transmission at an antenna of the first remote unit;

transmitting from the baseband unit, at a second point in time, a digital representation of a second set of radio resources to the first remote unit, the second set of radio resources for transmission at the antenna of the first remote unit;

wherein a number of radio resources in the first set of radio resources is different from a number of radio resources in the second set of radio resources.

25. The method of claim 24 wherein the digital representation of the first set of radio resources includes destination information identifying the first remote unit and the digital representation of the second set of radio resources includes destination information identifying the second remote unit.

26. The method of claim 24 wherein the first set of radio resources is a subset of the plurality of radio resources and includes at least some radio resources from the first signal source and at least some radio resources from the second signal source.

27. The method of claim 24 further comprising receiving at the baseband unit, from at least one additional baseband unit, a second plurality of radio resources.

28. The method of claim 24 wherein the plurality of radio resources include a first composite signal from the first signal source and a second composite signal from the second signal source, the method further comprising forming, at the baseband unit, the digital representation of the first set of radio resources from a first subset of the first composite signal and a second subset of the second composite signal.

29. The method of claim 24 further comprising packetizing, at the baseband unit, at least a subset of the plurality of radio resources.

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 10-29 will be pending in this application. Claims 1-9 been canceled, and new claims 10-29 have been added. No new matter is added.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for examination.

Except for the issue fees payable under 37 C.F.R. § 1.18, the Director is authorized to charge any additional fees during pendency of this application, including any required extension of time fees, or credit any overpayment to Deposit Account Number 20-1430. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. § 1.136(a)(3).

If the Examiner believes a telephone conference would expedite prosecution of this application, please contact the undersigned at (650) 326-2400 or kcatmull@kilpatricktownsend.com.

Respectfully submitted,

/Kelvin B. Catmull/
Kelvin B. Catmull
Registration No. 57,535

KILPATRICK TOWNSEND & STOCKTON LLP

KBC:vmg