

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
13835.0142USC1	340	693100	Travis R. Hunnings	2612

CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

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

Dear Sir:

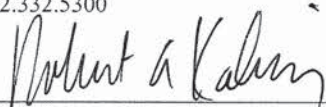
This is a request for filing a Continuation Application under 37 CFR § 1.53(b) of Serial No. 10/916,922, filed on August 12, 2004, and entitled "Life Safety Alarm with a Sealed Battery Power Supply" by the following inventors:

Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country
Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

1. ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 10 pages of specification, 5 pages totaling 29 claims, 1 page of abstract, 8 sheets of drawings, and 4 pages of oath or declaration.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. ☐ The filing fee is calculated below:
☐ Small entity status is claimed pursuant to 37 CFR 1.27.
3. ☐ Payment of fees:
☒ **PAYMENT OF THE FILING FEE IS BEING DEFERRED.**
4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
5. ☐ A set of formal drawings (sheets) is enclosed.
6. ☐ Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.
- ☐ The certified copy has been filed in prior application Serial No. , filed .

7. ☐ The prior application is assigned of record to located at .
8. ☐ The Power of Attorney in the prior application is to:
- Merchant & Gould P.C.
Minneapolis, MN 55402
9. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☐ Fee for excess claims is attached.
10. ☐ A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.
11. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
12. ☐ A Non-publication Request under 37 CFR 1.213(a) is enclosed.
13. ☒ Information Disclosure Statement, Form 1449 and no references.
14. ☒ Application Data Sheet, 3 pages.
15. ☐ Also Enclosed:
16. ☒ Address all future communications to the **Attention of any attorney associated with Customer No. 23552.**

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903 Minneapolis, MN 55402-0903
612.332.5300



Robert A. Kalinsky
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RAK:pll

Date: September 14, 2006

LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY

RELATED APPLICATION

This application is a continuation of U.S. Non-Provisional Application Serial No. 10/916,922, filed on August 12, 2004, which claimed benefit of U.S. Provisional Application Serial No. 60/499,245, filed on August 29, 2003, the entireties of which are hereby incorporated by reference.

FIELD OF THE INVENTION

The invention relates to battery powered electronic devices. More particularly, the invention relates to battery powered electronic devices, especially life safety alarms, for example smoke alarms and carbon monoxide alarms, where the batteries are sealed inside the device to prevent access to the batteries.

BACKGROUND OF THE INVENTION

Electronic devices that are powered by one or more batteries are well known. These devices are often designed to permit installation of the batteries, as well as replacement of the batteries as needed.

In certain battery powered electronic devices it is especially important that the batteries be properly installed and that the batteries have sufficient power for proper operation of the device. One example of such an electronic device is a battery powered life safety alarm. Life safety alarms that detect potential life-threatening conditions and generate a warning signal are well known. Examples of such alarms includes smoke alarms, flame detectors, carbon monoxide alarms, and other life safety alarms that detect a potential life threatening condition and provide a warning signal to warn of the possible life threatening condition.

The batteries in many battery powered life safety alarm are often replaceable so that when the battery power is sufficiently depleted, the user can remove the depleted batteries and install fresh batteries. One consequence of having replaceable batteries is that the user must periodically access the alarm and change the batteries. When the alarm is mounted high on a

ceiling or is located in a relatively inaccessible location, battery replacement can be difficult.

Battery replacement can present other challenges as well. The user may inadvertently install new batteries that are depleted such that they have insufficient power for proper alarm operation. Further, the new batteries may be improperly installed or not installed at all. If any of these mistakes occur, the alarm will not function, or will not function properly, which is highly dangerous.

Some battery operated alarms are designed so that the batteries are not replaceable. Some of these alarm designs permit the user to deactivate the alarm and to subsequently reactivate the alarm after it has been deactivated. This deactivation and activation can occur as many times as the user desires. Further, some of these alarm designs require the user to manually activate the alarm before the alarm can be attached to the mounting bracket.

There is a need for a smoke alarm or other life safety alarm having an extended life, and which is less prone to user mistakes or improper use during installation as well as during the life of the alarm.

SUMMARY OF THE INVENTION

The invention relates to a life safety alarm that is battery powered and has an extended life. The invention further relates to a life safety alarm that is less prone to user mistakes. The batteries are sealed inside the alarm portion whereby the batteries cannot be accessed by the user. As a result, the batteries are not replaceable. Rather, the alarm portion is replaced at the end of the alarm life, for example after expiration of a predetermined time period. Because the batteries are not replaceable, the difficulties and mistakes that accompany battery replacement are eliminated.

The alarm preferably has a long life in order to reduce the time period between alarm body replacement. For example, in the preferred embodiment, the batteries and other alarm components are intended to have a life-span of ten years. The alarm could have other life-spans as well.

In addition, the alarm is designed to automatically activate when the user attaches the alarm portion to the mounting bracket. At the end of the alarm life, the alarm will emit a signal

to indicate that the alarm portion needs replacement. The user then removes the alarm portion from the mounting bracket and slides a switch on the alarm to deactivate the alarm. Deactivation of the alarm removes power from the alarm circuitry and drains remaining power from the batteries. Further, when deactivated, the alarm portion is mechanically prevented from being
5 mounted back on the mounting bracket.

Alarm activation is automatic, and no user interaction, other than attaching the alarm portion to the mounting bracket, is necessary in order to activate the alarm. Therefore, the user cannot mistakenly forget to activate the alarm. Further, the alarm is designed so that the user can only change the alarm from an ON condition to the DEACTIVATED condition. Once in the
10 DEACTIVATED condition, the alarm cannot be changed back to the ON condition without breaking the alarm. However, even if the alarm is changed back to the ON condition after being deactivated, the alarm is designed to prevent reattachment of the alarm portion to the mounting bracket.

The concepts described herein can be utilized on numerous life safety alarms. Examples
15 of life safety alarms to which the concepts described herein could be applied includes smoke alarms, flame detectors, carbon monoxide alarms, and other life safety alarms that detect a potential life threatening condition and provide a warning signal to warn of the possible life threatening condition.

These and various other advantages and features of novelty which characterize the
20 invention are pointed out with particularity in the claims annexed hereto and forming a part hereof. However, for a better understanding of the invention, its advantages and objects obtained by its use, reference should be made to the drawings which form a further part hereof, and to the accompanying description, in which there is described a preferred embodiment of the invention.

25 DESCRIPTION OF THE DRAWINGS

These and other features of the invention will now be described with reference to the drawings of preferred embodiments, which are intended to illustrate and not to limit the invention and in which:

Figure 1 is a view of a perspective view of a smoke alarm according to the present invention.

Figure 2 is a view of the mounting bracket of the smoke alarm with the alarm portion removed.

5 Figure 3 is a view of the top side (i.e. the side that faces the mounting bracket) of the alarm portion.

Figure 4 is a view similar to Figure 3, but with the top enclosure removed to illustrate components of the activate/deactivate system.

10 Figure 5 is a view of the interior of the alarm portion with the bottom enclosure removed and looking upward toward the alarm portion as it would be mounted on the mounting bracket.

Figures 6A and 6B illustrate the components of the activate/deactivate system in a preactivated position.

Figures 7A and 7B illustrate the components of the activate/deactivate system in an activated or ON position.

15 Figures 8A and 8B illustrate the components of the activate/deactivate system in a DEACTIVATED position.

Figure 9 is a detailed view of a portion of the activate/deactivate system.

Figure 10 illustrates a label that covers the hole in the top of the upper enclosure to control access to the deactivate portion of the activate/deactivate system.

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DETAILED DESCRIPTION OF THE INVENTION

The invention relates to a battery powered electronic device in which the batteries are sealed within the device to prevent access to the batteries by the user, whereby the batteries are not intended to be replaceable. For convenience, the inventive concepts will be described herein with respect to a life safety alarm, in particular a smoke alarm. However, it is to be realized that the inventive concepts could be applied equally as well to other life safety devices, for example a carbon monoxide alarm or a flame detector. In addition, for convenience, the smoke alarm will be described herein as having a plurality of batteries. However, it is to be realized that the inventive concepts described herein could be utilized in alarms having a single battery.

In general, the electronic device according to the invention includes a first portion, and a second portion configured for attachment to the first portion. The second portion includes electronics to operate the device and at least one battery for powering the electronics. Further, cooperating features on the first portion and the second portion automatically activate the second portion upon initial attachment of the second portion to the first portion. When activated, the device is able to function and operate as intended by the design of the device.

The device can also include a manual deactivation mechanism to permit manual deactivation of the second portion after the second portion has been activated and preventing reactivation once the second portion is deactivated. When deactivated, the device is no longer functional. Moreover, when deactivated, the second portion is prevented from being reactivated and from being reattached to the first portion.

With reference to Figure 1 and the other figures, a specific implementation of the inventive concepts according to the invention will be described in relation to a smoke alarm 10. The alarm 10 includes an alarm portion 12 which in use will house the smoke detection system, alarm electronics, and the batteries necessary for operation of the alarm 10. The specifics of the smoke detection system and the alarm electronics are not necessary for a proper understanding of the inventive concepts. Suitable smoke detection systems and alarm electronics for use in the alarm 10, as well as the operation of a smoke alarm, would be known to those of skill in the art having read this specification. The alarm 10 further includes a mounting bracket 14 which in use is fixed to, for example, a ceiling (not shown) and to which the alarm portion 12 is attached.

With continued reference to Figure 1, the alarm portion 12 includes a top enclosure 16 and a bottom enclosure 18 that is connected to the top enclosure 16. When connected to each other, the top enclosure 16 and the bottom enclosure 18 enclose the smoke detection system, the alarm electronics, the batteries and other components of the alarm portion including the activate/deactivate system to be later described. As used herein, the terms “top”, “bottom” and the like, are in reference to the smoke alarm in use as it is mounted on a ceiling of a building. Therefore, the top enclosure 16 is generally closer to the ceiling than is the bottom enclosure 18, and the bottom enclosure 18 is the portion of the alarm that, in use, will face downward toward the floor of the building.

The alarm portion 12 is designed to be detachably connected to the mounting bracket 14. In the illustrated embodiment, the portion 12 is connected to the bracket 14 via a twist on/twist off connection system of a type that is well known in smoke alarms. Details of the connection system will be described with reference to Figures 2 and 3. As shown in Figure 2, the bracket 14 includes four circumferentially spaced grooves or channels 20 each of which is defined in part by a flange 22. One end 24 of each channel 20 is open and the opposite end is closed by a stop 26. Turning to Figure 3, the upper surface of the top enclosure 16 includes an upstanding circular flange 28 with four equally spaced tabs 30 projecting outwardly from the flange 28. The tabs 30 are designed to fit within the channels 20 to secure the alarm portion 12 to the bracket 14. When the alarm portion 12 is brought toward the bracket 14 in the proper orientation, and the portion 12 is rotated in the proper direction, the tabs 30 enter the open ends 24 of the channels 20, with the flanges 22 retaining the tabs 30 in the channels 20. Rotation continues until the tabs 30 contact the stops 26, at which time the portion 12 is securely attached to the bracket 14.

The alarm portion 12 is powered by one or more batteries 32 that are disposed therein. In the illustrated embodiment, the alarm 10 includes three CR 2/3 type batteries 32 that are available from FDK America Inc., of San Jose, CA. A larger or smaller number of batteries, as well as different battery types, could be used. The batteries 32 are sealed within the alarm portion 12 and are not intended to be replaceable. By "sealed" Applicant means that the batteries cannot normally be accessed by the user absent the user breaking or destructing some portion of the alarm portion 12. At the end of the alarm life, the alarm portion 12 will emit a signal, for example an audible "chirp", to indicate that the alarm portion 12 needs replacement. At that time, the user removes the alarm portion 12 from the bracket 14 and installs a new alarm portion. Alarm life is preferably measured by the expiration of a predetermined time period, for example ten years. Therefore, the batteries preferably have enough power to operate the alarm for the entire alarm life, for example up to ten years.

To simplify alarm operation, the alarm 10 is designed to automatically activate when the alarm portion 12 is attached to the bracket 14. Further, at the end of the alarm life, or prior to that time if desired, the user can deactivate the alarm. The activation and deactivation of the alarm 10 is controlled by an activate/deactivate system 33, which is best seen in Figures 3-8.

Referring initially to Figure 5, the system 33 includes a rotate activate component 34 which forms a portion of an activation mechanism, a rotate deactivate component 36 which forms a portion of a manual, permanent deactivation mechanism, and an activate/deactivate slider 38 which is part of both the activation mechanism and the deactivation mechanism.

5 The components 34, 36, 38 are shown in Figure 5 in their preactivated or shipping positions. The activate component 34 is designed to rotate in a counterclockwise direction, as shown by the arrow in Figure 5, upon attachment of the base 12 to the bracket 14. Rotation of the component 34 actuates the slider 38 so that it slides to the left in Figure 5 to an activated or ON position (shown in Figures 7A and 7B). During this initial movement of the slider 38, the
10 component 36 does not rotate. Further movement of the slider 38 to the left in Figure 5, which is caused manually by the user, places the slider 38 in the DEACTIVATED position (shown in Figures 8A and 8B). At the same time, the slider 38 engages the component 36 causing the component 36 to rotate counterclockwise to a locked position (shown in Figures 8A and 8B).

With reference to Figures 3, 4, and 9, the activate component 34 includes a boss 40 that is
15 disposed within a hole 42 in the top of the top enclosure 16. In the preactivated position shown in Figure 3, the boss 40 is positioned slightly outside the circumference of the flange 28 on the enclosure 16. The activate component 34 further includes an actuating boss 41 that has a "D"-shaped cross-section with a flat side 43. As shown in Figure 9, the boss 41 projects past the top surface of the top enclosure 16, with the flat side 43 of the boss 41 facing generally radially
20 outwardly.

When the alarm portion 12 is attached to the bracket 14, the flat side 43 of the boss 41 is engaged by a portion of one of the flanges 22 which actuates the boss 41 inward closer to the circumference of the flange 28. As shown in Figure 4, the boss 40 is engaged with the end of the slider 38, so that the movement of the boss 41 causes rotation of the activate component 34,
25 which in turn causes the sliding movement of the slider 38 to the ON position.

Returning to Figure 5, the slider 38 includes a pair of bosses 44a, 44b that project therefrom. A switch actuating tab 46 is disposed between the bosses 44a, 44b, with the tab 46 being connected to an electronic switch 48 associated with the alarm electronics. Movement of the slider 38, which is caused by the boss 40, results in movement of the tab 46 which in turn

actuates the switch 48. Actuation of the switch 48 activates the alarm. In this manner, attachment of the alarm portion 12 to the bracket 14, which actuates the boss 40 which in turn actuates the slider 38, automatically activates the alarm.

As seen in Figures 5-8, the end of the slider 38 opposite the end engaged by the boss 40 is formed into a pair of resilient arms 50a, 50b. Each arm 50a, 50b includes a lock tab 52 having a sloped surface 54 at the front and a lock surface 56 at the rear. The tabs 52 cooperate with lock bosses 58 (only one boss 58 is visible in Figures 5-8) which define the ON and DEACTIVATED positions of the slider 38. Each boss 58 comprises a first sloped surface 60 at the front end, a recess 62 at the central portion, a second sloped surface 64, and a rear surface 66.

It is preferred that the slider 38 be designed for one-way movement only. In the preactivated position of the slider 38, the sloped surfaces 54 of the tabs 52 are engaged with the sloped surfaces 60 of the bosses 58, as shown in Figures 6A and 6B. As the slider 38 is actuated by the boss 40, the resilient arms 50a, 50b flex inwardly as a result of the sloped surfaces 54, 60 until the tabs 52 drop into the recesses 62, as shown in Figures 7A and 7B. This defines the ON position of the slider 38. Engagement between the lock surfaces 56 of the bosses 58 and the vertical wall of the recesses 62 prevents movement of the slider 38 back to the preactivated position.

At the ON position, the alarm 10 is activated and operates for a predetermined period of time, for example 10 years. To deactivate the alarm, the user must break out a section of a product label 68, a portion of which is shown in Figure 10, that covers a hole 70 in the top of the top enclosure 16. The hole 70 permits access to the top of the slider 38 which includes a slot 72 formed therein. This is the only access the user has to the slider 38. It is to be noted that this access to the slider 38 is only permissible when the alarm portion 12 is detached from the bracket 14.

Prior to activation, the slot 72 is not accessible in the hole 70. However, when the slider 38 is at the ON position, the slot 72 is positioned in the hole 70 so that it can be accessed by the user, as shown in Figure 7B, once the section of the product label is broken out. Using a tool, such as the tip of a screwdriver, engaged in the slot 72, the user is able to slide the slider 38 to the DEACTIVATED position shown in Figure 8A. This movement of the slider 38 deactivates the

switch 48 which deactivates the alarm 10. At the DEACTIVATED position, the engagement between the lock surfaces 56 and the rear surfaces 66 of the bosses 58 prevents movement of the slider 38 back to the ON position to prevent reactivation of the alarm portion. In addition, when the switch 48 is deactivated, a circuit in the alarm portion automatically drains remaining power from the batteries.

As shown in Figure 4, the end of the slider 38 includes a tab 74. In addition, the rotate deactivate component 36 includes a tab 76. At the preactivated position of the slider 38, there is a gap between the tab 74 and the tab 76 so that the movement of the slider 38 to the ON position does not cause movement of the rotate deactivate component 36. However, at the ON position, the tabs 74, 76 are engaged, and the movement of the slider 38 to the DEACTIVATED position causes the rotate deactivate component 36 to rotate counterclockwise to a locked position.

With reference to Figure 6A, the rotate deactivate component 36 includes a resilient arm 78 with an enlarged end 80. The end 80 is engaged with a boss 82. The rotate deactivate component 36 further includes a tab 86 that projects upwardly through a hole 88 in the top of the top enclosure 16. At the initial position of the rotate deactivate component 36, the tab 86 is aligned with the flange 28 of the top enclosure 16 as shown in Figures 3, 6B and 7B. As the rotate deactivate component 36 is rotated by the slider 38 to the locked position, the arm 78 flexes to enable the end 80 to move past the boss 82 and snap into place behind the boss 82, as shown in Figure 8A. At the same time, the tab 86 moves outwardly beyond the circumference of the flange 28, as shown in Figure 8B.

With the end 80 positioned behind the boss 82, the rotate deactivate component 36 is prevented from being actuated clockwise back to its initial unlocked position. Further, with the tab 86 positioned beyond the circumference of the flange 28, the alarm portion 12 is prevented from being reattached to the bracket 14. As a result, when deactivated, the alarm portion cannot be reattached to the bracket. Further, the user is unable to actuate the rotate deactivate component 36 out of the locked position.

With the alarm 10, activation is automatic, which eliminates the need for user interaction in order to activate the alarm portion other than attaching the alarm portion to the bracket. Thus,

the chance of a user making a mistake in activating the alarm is reduced. In addition, the alarm portion is designed so that it cannot be reactivated after it has been deactivated.

Further, if the user forces the slider 38 from the DEACTIVATED position to the ON position by breaking the one-way directional features of the slider 38, the rotate deactivate
5 component 36 does not move and remains in place to prevent reattachment of the alarm portion to the mounting bracket. Therefore, a deactivated alarm portion cannot be installed on the bracket.

Moreover, the three operational states of the alarm 10, preactivated, activated, and deactivated, are accomplished using one, three position switch. Some current alarm designs
10 require the use of two switches to accomplish the same three operational states. Therefore, the invention provides a more cost effective solution.

The embodiments of the inventions disclosed herein have been discussed for the purpose of familiarizing the reader with novel aspects of the invention. Although preferred embodiments have been shown and described, many changes, modifications, and substitutions may be made by
15 one having skill in the art without necessarily departing from the spirit and scope of the invention.

WHAT IS CLAIMED IS:

1. An electronic device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion
5 including electronics to operate the device and at least one battery for powering the electronics;
and
cooperating features on the first portion and the second portion that automatically activate
the second portion upon initial attachment of the second portion to the first portion.
- 10 2. The electronic device of claim 1, wherein the electronic device is a life safety
alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second
portion comprises an alarm portion of the life safety alarm.
3. The electronic device of claim 2, wherein the alarm portion includes a system to
15 detect a life threatening condition.
4. The electronic device of claim 3, wherein the detection system comprises a smoke
detection system.
- 20 5. The electronic device of claim 1, wherein the cooperating features comprise an
activate/deactivate system, and wherein the activate/deactivate system is configured to
automatically activate the second portion upon initial attachment of the second portion to the first
portion.
- 25 6. The electronic device of claim 5, wherein the activate/deactivate system is
configured to enable the user to manually deactivate the second portion.
7. The electronic device of claim 6, wherein when deactivated, the second portion

cannot be reactivated and the second portion cannot be reattached to the first portion.

8. The electronic device of claim 5, wherein the activate/deactivate system comprises a slider configured for one-way movement and having three positions.

5

9. The electronic device of claim 8, wherein the device electronics comprises a three position switch connected to the slider.

10. The electronic device of claim 1, wherein the battery is sealed inside the second portion whereby the battery is not user replaceable.

10

11. The electronic device of claim 1, further comprising means for manually deactivating the second portion after the second portion has been activated, wherein the means for manually deactivating is accessible when the first and second portions are disconnected.

15

12. The electronic device of claim 11, further comprising means for preventing reactivation of the second portion after the second portion has been deactivated, and means for preventing reattachment of the first and second portions after the second portion has been deactivated.

20

13. An electronic device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
an activation mechanism to activate the second portion; and
a manual deactivation mechanism to permit manual deactivation of the second portion after the second portion has been activated and preventing reactivation once the second portion is deactivated.

25

14. The electronic device of claim 13, wherein the manual deactivation mechanism is accessible when the second portion is detached from the first portion, and further comprising means to prevent reattachment of the second portion to the first portion once the second portion is deactivated.

5

15. The electronic device of claim 14, wherein the electronic device is a life safety alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

10 16. The electronic device of claim 15, wherein the alarm portion includes a system to detect a life threatening condition.

17. The electronic device of claim 16, wherein the detection system comprises a smoke detection system.

15

18. An electronic device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
20 an activation mechanism to activate the second portion;
a permanent deactivation mechanism to permit permanent deactivation of the second portion after the second portion has been activated, wherein the permanent deactivation mechanism is accessible when the first and second portions are detached; and
a reattachment prevention mechanism to prevent reattachment of the first and second
25 portions once the second portion is permanently deactivated.

19. The electronic device of claim 18, wherein the electronic device is a life safety alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

20. The electronic device of claim 19, wherein the alarm portion includes a system to detect a life threatening condition.

5 21. The electronic device of claim 20, wherein the detection system comprises a smoke detection system.

22. An electronic device, comprising:
a first portion;
10 a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
a deactivation mechanism associated with the second portion configured to permit deactivation of the second portion once the second portion has been activated;
a label covering a portion of the deactivation mechanism, wherein at least a portion of the
15 label must be broken in order to access the deactivation mechanism.

23. The electronic device of claim 22, wherein the electronic device is a life safety alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

20

24. The electronic device of claim 23, wherein the alarm portion includes a system to detect a life threatening condition.

25. The electronic device of claim 24, wherein the detection system comprises a
25 smoke detection system.

26. A method comprising:
providing an electronic device that includes a first portion and a second portion that is attachable to the first portion, the second portion including device electronics and at least one

battery for powering the electronics, the battery being sealed inside the second portion so that it cannot be replaced by a user, and the second portion having a predetermined life;

attaching the second portion to the first portion;

at the end of the predetermined life detaching the second portion from the first portion

5 and disposing of the second portion; and

attaching a new second portion to the first portion.

27. The method of claim 26, comprising automatically activating the new second portion when it is attached to the first portion.

10

28. A method comprising:

providing an electronic device that includes a first portion and a second portion that is attachable to the first portion, the second portion including device electronics, at least one battery for powering the electronics, and an activate/deactivate system; and

15 automatically activating the second portion by attaching the second portion to the first portion.

29. A method comprising:

providing an electronic device that includes a first portion and a second portion that is
20 attachable to the first portion, the second portion including device electronics and at least one battery for powering the electronics, the battery being sealed inside the second portion so that it cannot be replaced by a user, and the second portion having a predetermined life;

activating the second portion;

attaching the second portion to the first portion;

25 detaching the second portion from the first portion;

deactivating the second portion; and

preventing reactivation of the second portion once the second portion is deactivated.

ABSTRACT

A life safety alarm, for example a smoke alarm, that is battery powered, has an extended life, and is less prone to user mistakes. The batteries are sealed inside the alarm portion so that the batteries cannot be accessed by the user. As a result, the batteries are not replaceable.

- 5 Rather, the alarm portion is replaced at the end of the alarm life, for example after expiration of a predetermined time period, such as ten years. The alarm is designed to be automatically activated upon initial attachment of the alarm portion to the bracket. The alarm can be manually deactivated, but once deactivated, the alarm cannot be reactivated and the alarm portion cannot be reattached to the bracket.

FIG. 1

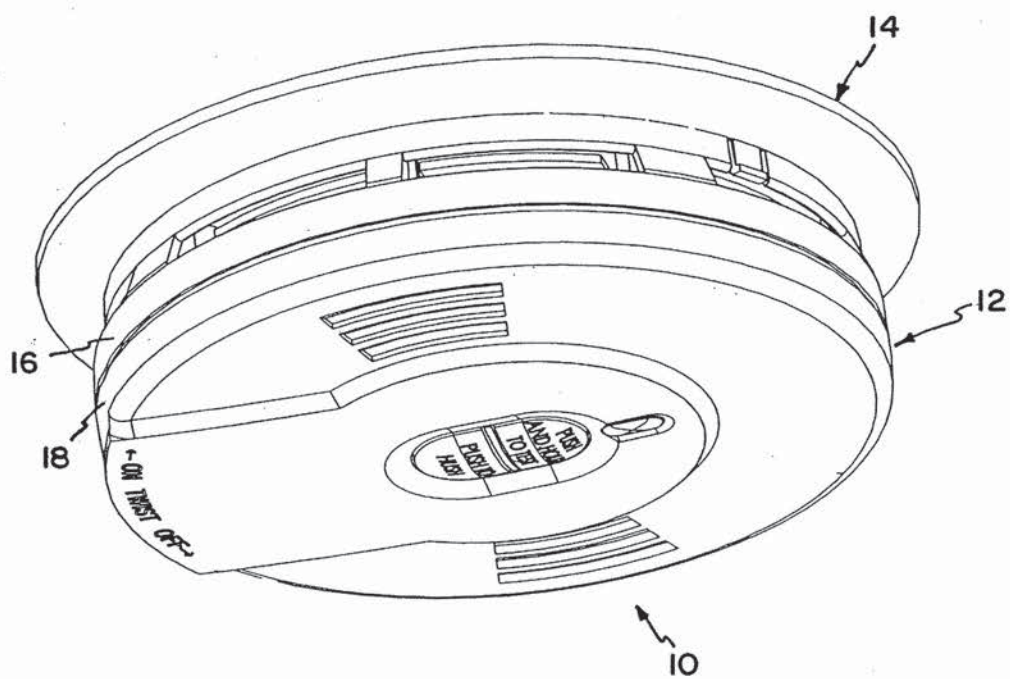


FIG. 2

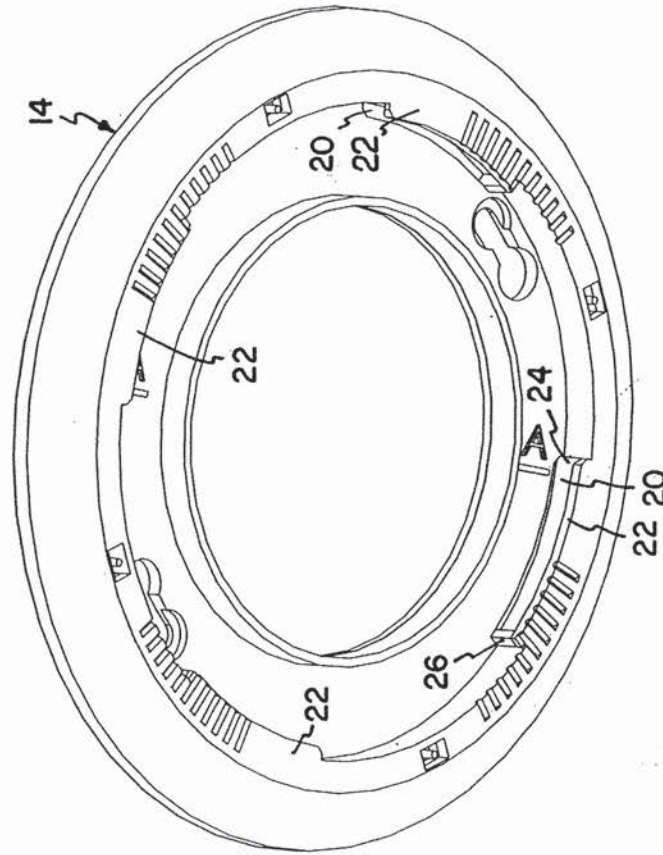


FIG. 3

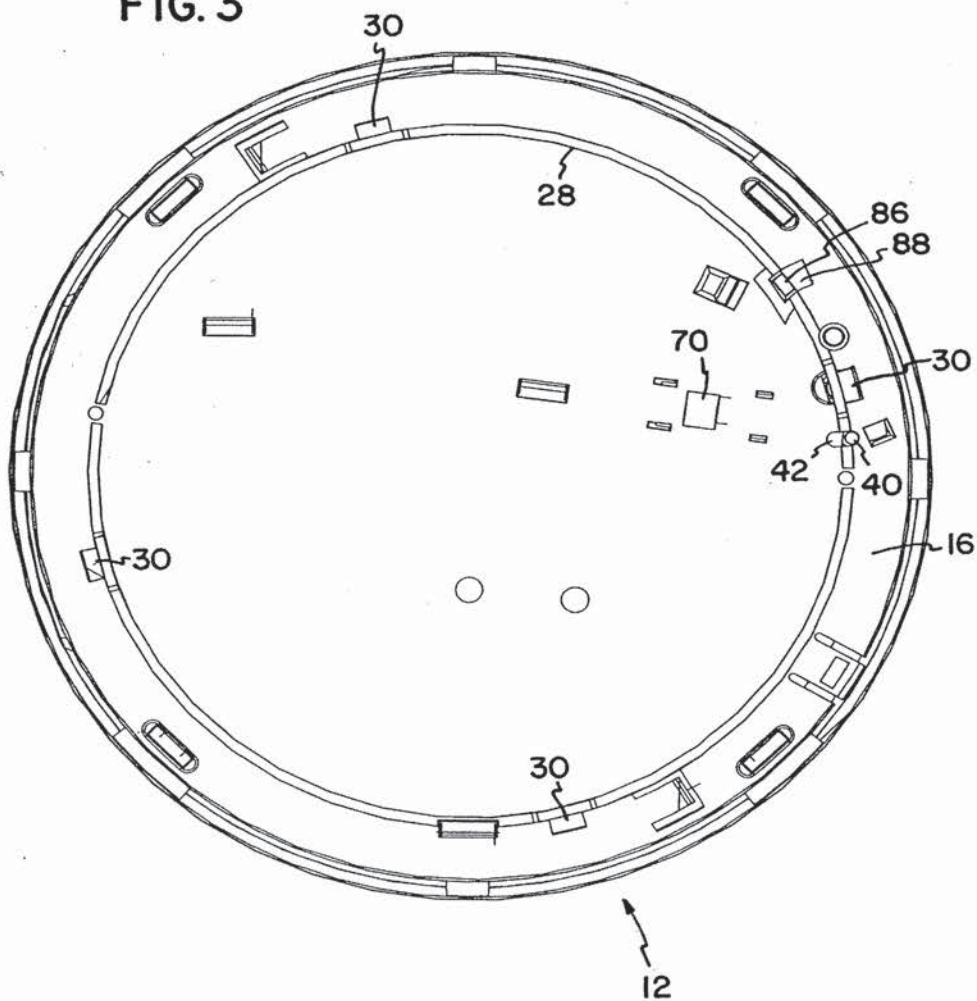


FIG. 4

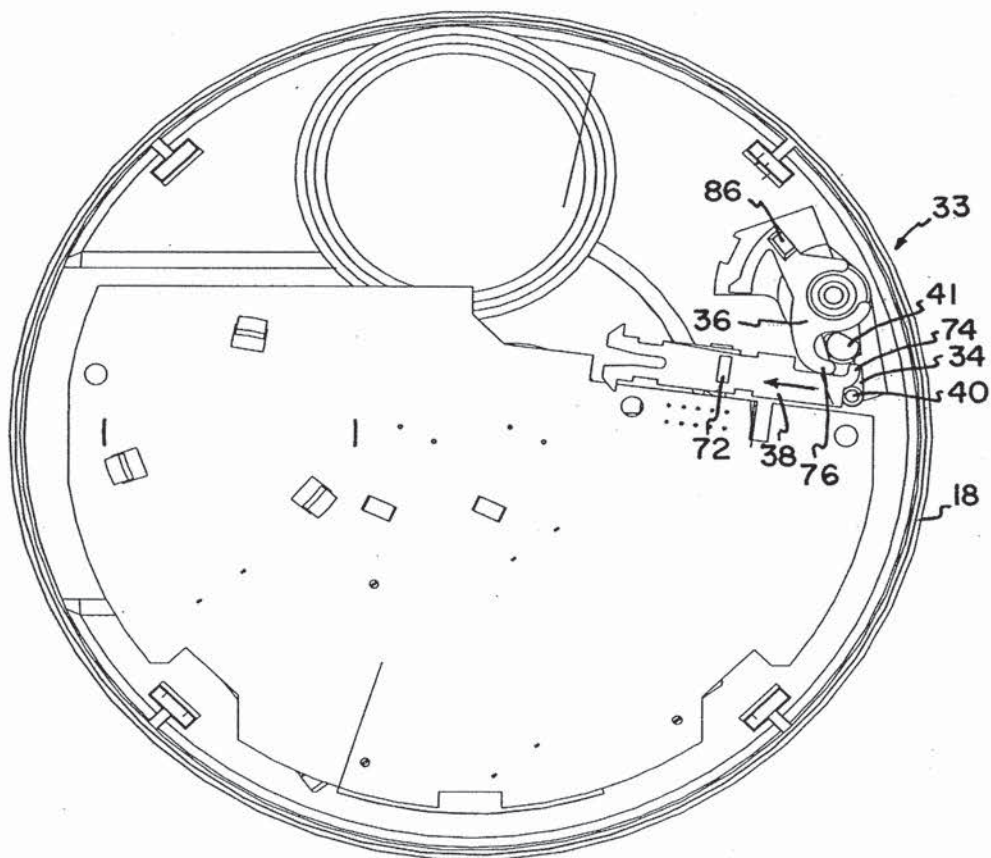


FIG. 5

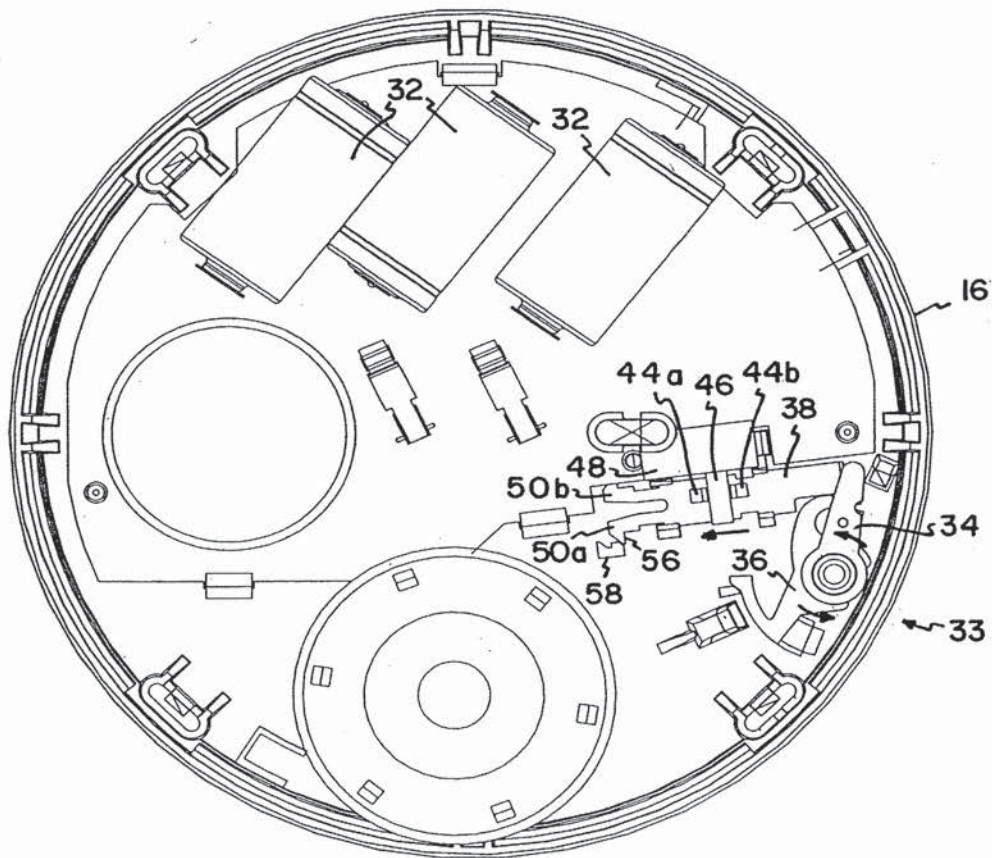


FIG. 6A

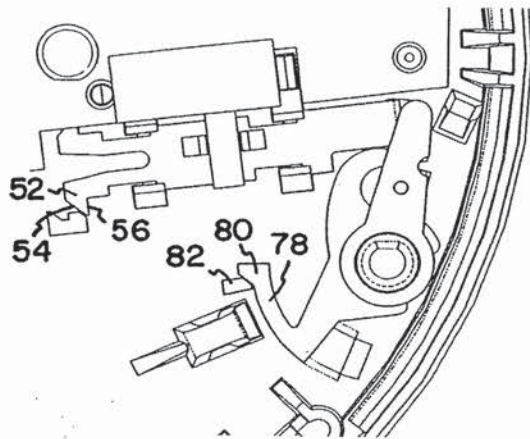


FIG. 6B

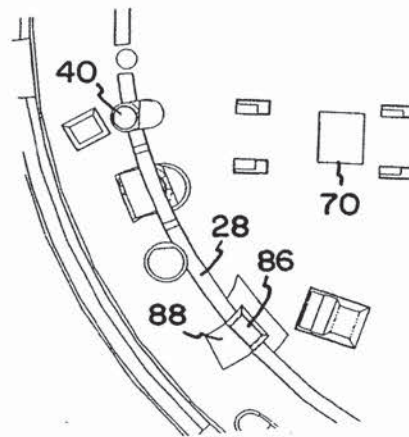


FIG. 7A

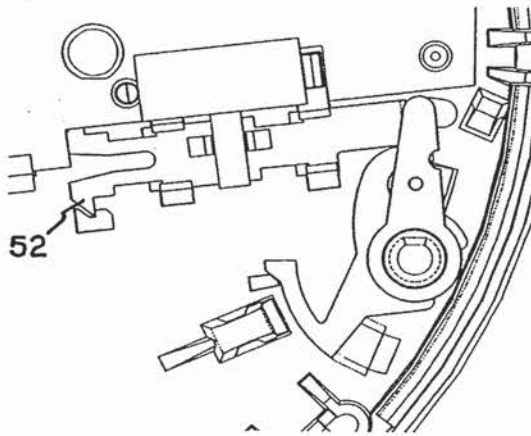


FIG. 7B

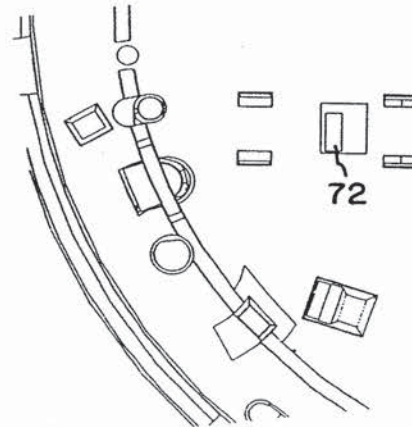


FIG. 8A

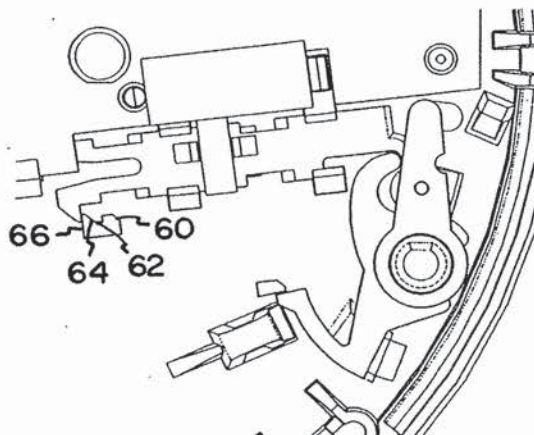


FIG. 8B

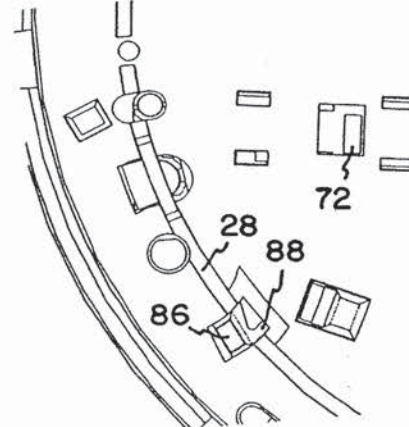


FIG. 9

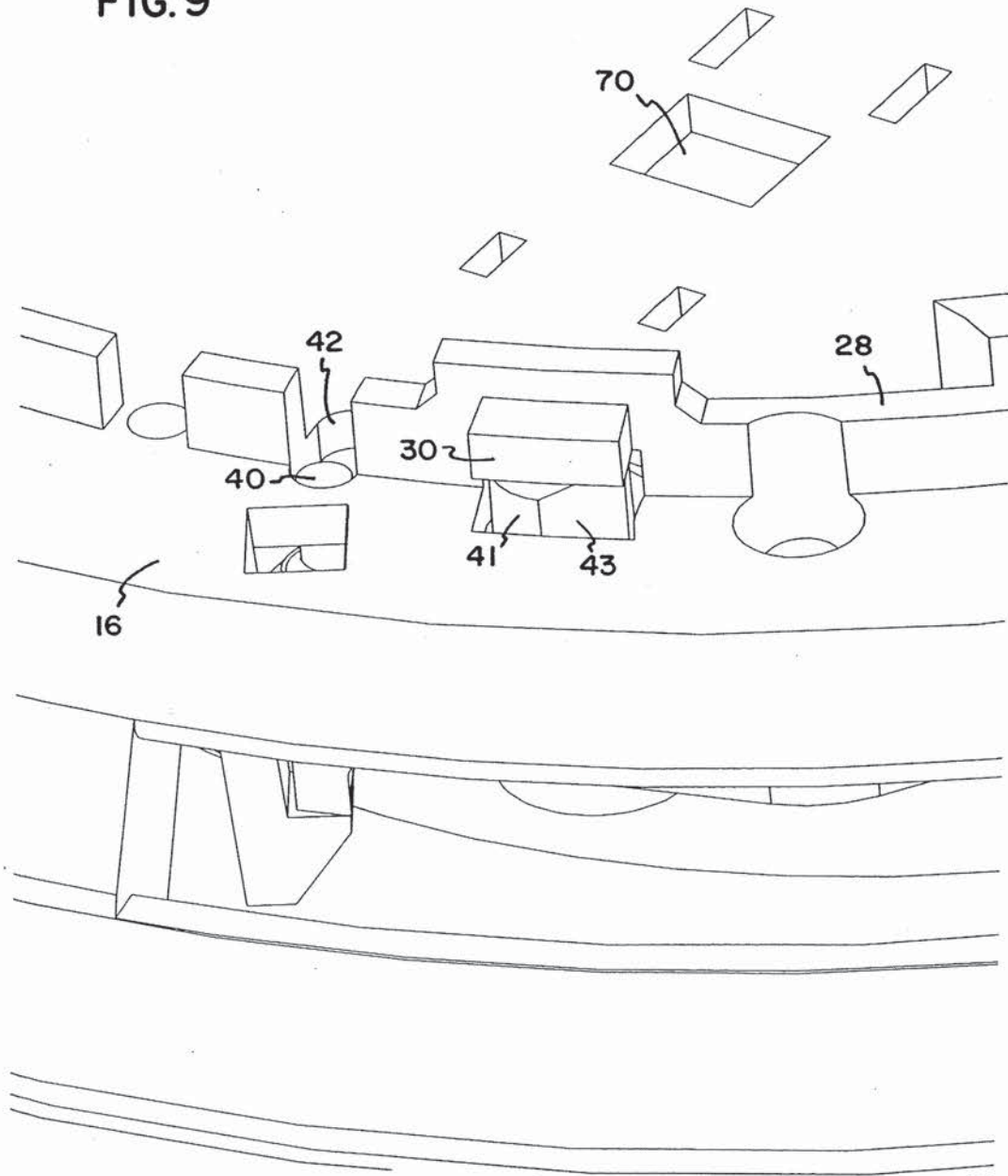
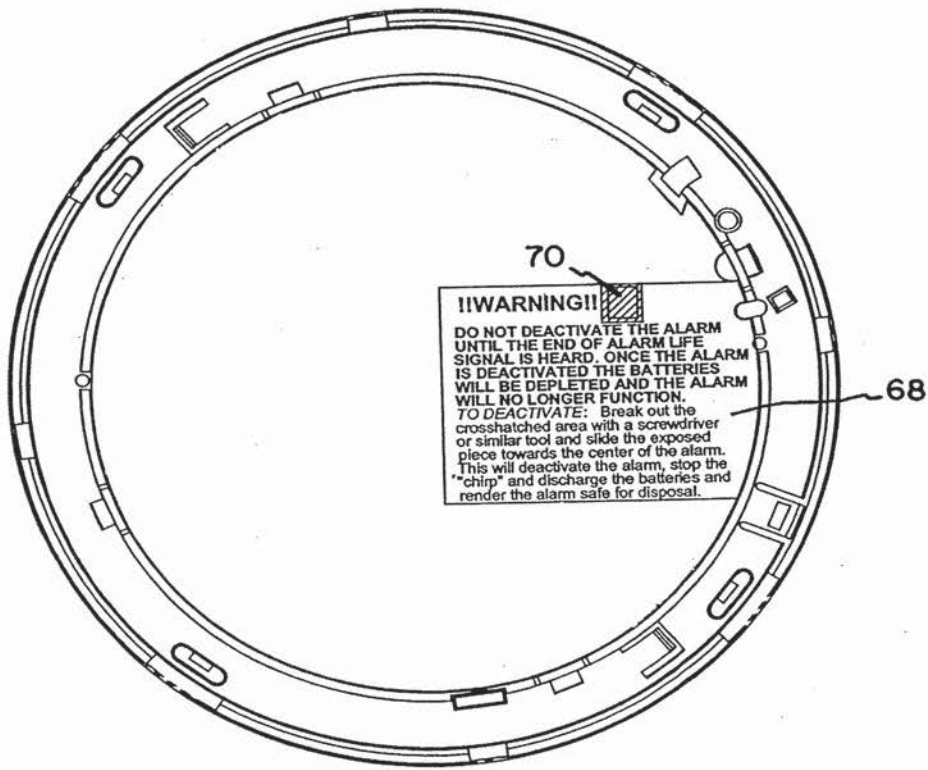


FIG. 10



MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY

The specification of which

a. ☐ is attached hereto

b. ☒ was filed on August 12, 2004 as application serial no. 10/916,922 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☒ no such applications have been filed.

b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/499,245	29 AUGUST 2003

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application:
- (2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the attorney(s) and/or patent agent(s) associated with the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.



I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

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.

2	Full Name Of Inventor	Family Name DELUCA	First Given Name JOSEPH	Second Given Name G.
0	Residence & Citizenship	City COLORADO SPRINGS	State or Foreign Country COLORADO	Country of Citizenship USA
1	Mailing Address	Address 2325 ROSSMERE STREET	City COLORADO SPRINGS	State & Zip Code/Country COLORADO 80919/USA
Signature of Inventor 201:			Date: 10/4/04	
2	Full Name Of Inventor	Family Name SHARPE	First Given Name JASON	Second Given Name M.
0	Residence & Citizenship	City COLORADO SPRINGS	State or Foreign Country COLORADO	Country of Citizenship USA
2	Mailing Address	Address 2675 HANOVERTOWN DRIVE	City COLORADO SPRINGS	State & Zip Code/Country COLORADO 80919/USA
Signature of Inventor 202:			Date: 040929	

S/N TBA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	To Be Assigned
Serial No.:	TBA	Group Art Unit:	TBA
Filed:	On even date herewith	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	TBA
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

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

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 10/916,922 filed on August 12, 2004.

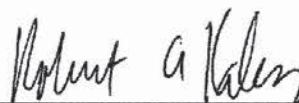
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: September 14, 2006



Name: Robert A. Kalinsky
Reg. No.: 50,471
RAK:pll

Customer No. 23552

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 13835.0142USC1	Application Number: To Be Assigned
	Applicant: DeLuca et al.	Confirmation No.: TBA
	Filing Date: On even date herewith	Group Art Unit: TBA

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2,985,741	05/23/1961	Ellmann			
	4,092,641	05/30/1978	Bellinghausen et al.			
	4,313,110	01/26/1982	Subulak et al.			
	4,389,635	06/21/1983	Gallagher			
	4,553,252	11/ /1985	Harris H. Egendorf			
	4,688,021	08/18/1987	Buck et al.			
	4,829,283	05/09/1989	Spang et al.			
	4,870,395	09/26/1989	Belano			
	4,901,056	02/13/1990	Bellavia et al.			
	5,028,911	07/02/1991	Wanat et al.			
	5,055,830	10/08/1991	Cousins et al.			
	5,103,216	04/07/1992	Sisselman			
	5,272,292	12/21/1993	Aubert			
	5,359,168	10/25/1994	Cunningham			
	5,444,434	08/22/1995	Serby			
	5,578,996	11/26/1996	Watson et al.			
	5,612,678	03/18/1997	Shibata			
	5,682,131	10/28/1997	Gow			
	5,793,295	08/11/1998	Goldstein			
	5,939,994	08/17/1999	Meier et al.			
	6,160,487	12/12/2000	DeLuca			
	6,297,745	10/02/2001	Meier			
	2002/0097162	07/25/2002	Chambers			
	6,433,700	08/13/2002	Malewski et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	0 714 158 A2	05/29/1996	EP			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

Application Data Sheet

Application Information

Application Type::	Regular
Subject Matter::	Utility
Suggested Classification::	
Suggested Group Art Unit::	
CD-ROM or CD_R?::	None
Number of CD disks::	
Number of copies of CDs::	
Sequence Submission::	No
Computer Readable Form (CRF)?::	No
Title::	Life Safety Alarm with a Sealed Battery Power Supply
Attorney Docket Number::	13835.0142USC1
Request For Early Publication::	No
Request For Non-Publication::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	8
Small Entity::	No
Latin Name::	
Variety Denomination Name::	
Petition Included::	No
Petition Type::	
Licensed US Govt. Agency::	
Contract or Grant Numbers::	
Secrecy Order in Parent Appl.?::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity

Initial 09/14/06

Given Name:: Joseph
Middle Name:: G.
Family Name:: DeLuca
Name Suffix::
City of Residence:: Colorado Springs
State or Province of Residence:: CO
Country of Residence:: US
Street of mailing address:: 2325 Rossmere Street
City of mailing address:: Colorado Springs
State or Province of mailing address:: CO
Country of mailing address:: US
Postal or Zip Code of mailing address:: 80919

Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Jason
Middle Name:: M.
Family Name:: Sharpe
Name Suffix::
City of Residence:: Colorado Springs
State or Province of Residence:: CO
Country of Residence:: US
Street of mailing address:: 2675 Hanovertown Drive
City of mailing address:: Colorado Springs
State or Province of mailing address:: CO
Country of mailing address:: US
Postal or Zip Code of mailing address:: 80919

Initial 09/14/06

Correspondence Information

Correspondence Customer Number:: 23552

Representative Information

Representative Customer Number::	23552
----------------------------------	-------

Domestic Priority Information

Application::	Continuation Type::	Parent Application::	Parent Filing Date::
This application	Continuation of	10/916,922	08/12/04
10/916,922	Application claiming the benefit under 35 USC 119(e)	60/499,245	08/29/03

Assignee Information

Assignee Name:: Walter Kidde Portable Equipment, Inc.
Street of mailing address:: 1394 South Third Street, P.O. Box 9199
City of mailing address:: Mebane
State or Province of mailing address:: North Carolina
Country of mailing address:: US
Postal or Zip Code of mailing address:: 27302

Initial 09/14/06

Electronic Acknowledgement Receipt

EFS ID:	1202141
Application Number:	11532010
Confirmation Number:	2109
Title of Invention:	Life Safety Alarm with a Sealed Battery Power Supply
First Named Inventor:	Joseph G. DeLuca
Customer Number:	23552
Filer:	Robert A. Kalinsky
Filer Authorized By:	
Attorney Docket Number:	13835.0142USC1
Receipt Date:	14-SEP-2006
Filing Date:	
Time Stamp:	18:13:39
Application Type:	Utility
International Application Number:	

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1		ContinuationAppln.pdf	2084005	yes	36

Multipart Description			
Doc Desc	Start	End	
Continued Prosecution Application - Continuation (ACPA)	1	2	
Specification	3	12	
Claims	13	17	
Abstract	18	18	
Drawings	19	26	
Oath or Declaration filed	27	30	
Information Disclosure Statement (IDS) Filed	31	33	
Application Data Sheet	34	36	

Warnings:

Information:

Total Files Size (in bytes):	2084005
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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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
13835.0142USC1	340	693100	Travis R. Hunnings	2612

CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

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

Dear Sir:

This is a request for filing a Continuation Application under 37 CFR § 1.53(b) of Serial No. 10/916,922, filed on August 12, 2004, and entitled "Life Safety Alarm with a Sealed Battery Power Supply" by the following inventors:

Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country
Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

- ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 10 pages of specification, 5 pages totaling 29 claims, 1 page of abstract, 8 sheets of drawings, and 4 pages of oath or declaration.

☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ The filing fee is calculated below:

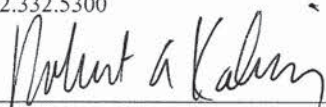
☐ Small entity status is claimed pursuant to 37 CFR 1.27.
- ☐ Payment of fees:

☒ **PAYMENT OF THE FILING FEE IS BEING DEFERRED.**
- ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
- ☐ A set of formal drawings (sheets) is enclosed.
- ☐ Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior application Serial No. , filed .

7. ☐ The prior application is assigned of record to located at .
8. ☐ The Power of Attorney in the prior application is to:
- Merchant & Gould P.C.
Minneapolis, MN 55402
9. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☐ Fee for excess claims is attached.
10. ☐ A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.
11. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
12. ☐ A Non-publication Request under 37 CFR 1.213(a) is enclosed.
13. ☒ Information Disclosure Statement, Form 1449 and no references.
14. ☒ Application Data Sheet, 3 pages.
15. ☐ Also Enclosed:
16. ☒ Address all future communications to the **Attention of any attorney associated with Customer No. 23552.**

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903 Minneapolis, MN 55402-0903
612.332.5300



Robert A. Kalinsky
Reg. No. 50,471
RAK:pll

Date: September 14, 2006

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 11/532,010	
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))				75		300
SEARCH FEE (37 CFR 1.16(k), (l), or (m))				250		500
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))				100		200
TOTAL CLAIMS (37 CFR 1.16(i))	29	minus 20 =	9	X\$25	X\$50	450
INDEPENDENT CLAIMS (37 CFR 1.16(h))	7	minus 3 =	4	X\$100	X\$200	800
APPLICATION SIZE FEE (37 CFR 1.16(s))			If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			180		360	
			TOTAL	425	TOTAL	2250
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
OTHER THAN SMALL ENTITY						OR
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
Total (37 CFR 1.16(i))	*	Minus **	=	X =		X =
Independent (37 CFR 1.16(h))	*	Minus ***	=	X =		X =
Application Size Fee (37 CFR 1.16(s))				180		360
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				TOTAL		TOTAL
				ADD'T FEE		ADD'T FEE
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
OTHER THAN SMALL ENTITY						OR
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
Total (37 CFR 1.16(i))	*	Minus **	=	X =		X =
Independent (37 CFR 1.16(h))	*	Minus ***	=	X =		X =
Application Size Fee (37 CFR 1.16(s))				N/A		N/A
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				TOTAL		TOTAL
				ADD'T FEE		ADD'T 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	ATTORNEY DOCKET NUMBER
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1

CONFIRMATION NO. 2109

FORMALITIES
 LETTER

23552
 MERCHANT & GOULD PC
 P.O. BOX 2903
 MINNEAPOLIS, MN 55402-0903

Date Mailed: 10/06/2006

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 300 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1250** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2380** for a non-small entity

- **\$300** Statutory basic filing fee.
- **\$130** Surcharge.
- The application search fee has not been paid. Applicant must submit **\$500** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the

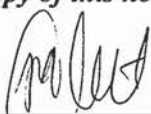
examination fee for a non-small entity.

- Total additional claim fee(s) for this application is **\$1250**

- **\$800** for **4** independent claims over 3.
- **\$450** for **9** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 3 - OFFICE COPY

S/N 11/532,010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	TBA
Serial No.:	11/532,010	Group Art Unit:	2612
Filed:	September 14, 2006	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	2109
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

PRELIMINARY AMENDMENT

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

Dear Sir:

Please consider and enter the following amendments and remarks prior to calculation of the filing fee and examination of the application.

Amendments to the claims begin at page 2 of this paper.

Remarks begin at page 5 of this paper.

In the Claims

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

Listing of Claims:

1.-29. (Canceled)

30. (New) A method of operating an electronic device, the method comprising:
powering electronics to operate the electronic device with at least one battery included in a second portion;
attaching the second portion to a first portion;
automatically activating the second portion upon the attachment of the second portion to the first portion using an activate/deactivate system; and
manually deactivating the second portion after activating the second portion, such that the second portion cannot be reactivated and the second portion cannot be reattached to the first portion.

31. (New) The method of claim 30, wherein attaching the second portion to the first portion comprises mounting an alarm portion of a life safety device to a mounting bracket of the life safety device.

32. (New) The method of claim 30, further comprising detecting a life threatening condition after automatic activation.

33. (New) The method of claim 32, wherein detecting a life threatening condition comprises detecting smoke.

34. (New) The method of claim 30, wherein activating the second portion comprises adjusting a slider of the activate/deactivate system to an activated position, the slider being configured for one-way movement.

35. (New) The method of claim 34, wherein deactivating the second portion comprises adjusting the slider to a deactivated position.

36. (New) The method of claim 30, further comprising sealing the battery inside the second portion to prevent replacement of the battery.

37. (New) An electronic device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
an activation mechanism to activate the second portion;
a permanent deactivation mechanism to permit permanent deactivation of the second portion after the second portion has been activated; and
a reattachment prevention mechanism to prevent reattachment of the first and second portions once the second portion is permanently deactivated.

38. (New) The electronic device of claim 37, wherein the electronic device is a life safety alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

39. (New) The electronic device of claim 38, wherein the alarm portion includes a system to detect a life threatening condition.

40. (New) The electronic device of claim 39, wherein the system comprises a smoke detection system.

41. (New) A life safety device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
cooperating features on the first portion and the second portion that automatically activate the second portion upon initial attachment of the second portion to the first portion and deactivate the second portion after activation; and
a component to prevent reattachment of the second portion to the first portion once the second portion is deactivated.

42. (New) The life safety device of claim 41, wherein the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

43. (New) The life safety device of claim 41, wherein the first portion comprises a smoke detection system.

44. (New) The life safety device of claim 41, wherein the cooperating features comprise an activate/deactivate system, and wherein the activate/deactivate system is configured to automatically activate the second portion upon initial attachment of the second portion to the first portion.

45. (New) The life safety device of claim 44, wherein the activate/deactivate system is configured to enable the user to manually deactivate the second portion.

46. (New) The life safety device of claim 44, wherein the activate/deactivate system comprises a slider configured for one-way movement and having three positions.

47. (New) The life safety device of claim 41, wherein, when deactivated, the second portion cannot be reactivated and the second portion cannot be reattached to the first portion.

48. (New) The electronic device of claim 41, wherein the battery is sealed inside the second portion, whereby the battery is not user replaceable.

Remarks

Entry of the previous amendments and following remarks are respectfully requested prior to examination of the application. Claims 1-29 have been cancelled, and new claims 30-48 are presented. No new matter has been entered. Claims 30-48 remain pending. Consideration and allowance of all claims are respectfully requested.

The Examiner is encouraged to contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: December 12, 2006

/Robert A. Kalinsky/
Name: Robert A. Kalinsky
Reg. No.: 50,471

S/N 11/532,010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	TBA
Serial No.:	11/532,010	Group Art Unit:	2612
Filed:	September 14, 2006	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	2109
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts mailed October 6, 2006, please find enclosed the following:

- Part 2 - Notice to File Missing Parts of Nonprovisional Application.

Please charge our Deposit Account No. 13-2725 in the amount of \$1,130.00 for the filing, search and examination fees, and surcharge for late submission of same.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: December 12, 2006

/Robert A. Kalinsky/
Name: Robert A. Kalinsky
Reg. No.: 50,471



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	ATTORNEY DOCKET NUMBER
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1

23552
 MERCHANT & GOULD PC
 P.O. BOX 2903
 MINNEAPOLIS, MN 55402-0903

CONFIRMATION NO. 2109

FORMALITIES
 LETTER

Date Mailed: 10/06/2006

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 300 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1250 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

\$1,130

Total additional fee(s) required for this application is ~~\$2380~~ for a non-small entity

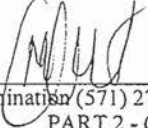
- \$300 Statutory basic filing fee. ✓
- \$130 Surcharge. ✓
- The application search fee has not been paid. Applicant must submit \$500 to complete the search fee. ✓
- The application examination fee has not been paid. Applicant must submit \$200 to complete the

examination fee for a non-small entity.

- Total additional claim fee(s) for this application is ~~\$1250~~ $\times$
 - ~~\$800~~ for **4** independent claims over 3. $\times$
 - ~~\$450~~ for **9** total claims over 20. $\times$

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 2 - COPY TO BE RETURNED WITH RESPONSE

Electronic Patent Application Fee Transmittal				
Application Number:		11532010		
Filing Date:		14-Sep-2006		
Title of Invention:		Life Safety Alarm with a Sealed Battery Power Supply		
First Named Inventor/Applicant Name:		Joseph G. DeLuca		
Filer:		Robert A. Kalinsky/Patricia Larrimore		
Attorney Docket Number:		13835.0142USC1		
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility application filing	1011	1	300	300
Utility Search Fee	1111	1	500	500
Utility Examination Fee	1311	1	200	200
Pages:				
Claims:				
Miscellaneous-Filing:				
Late filing fee for oath or declaration	1051	1	130	130
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	1251	1	120	120
Miscellaneous:				
Total in USD (\$)				1250

Electronic Acknowledgement Receipt	
EFS ID:	1369491
Application Number:	11532010
International Application Number:	
Confirmation Number:	2109
Title of Invention:	Life Safety Alarm with a Sealed Battery Power Supply
First Named Inventor/Applicant Name:	Joseph G. DeLuca
Customer Number:	23552
Filer:	Robert A. Kalinsky
Filer Authorized By:	
Attorney Docket Number:	13835.0142USC1
Receipt Date:	14-DEC-2006
Filing Date:	14-SEP-2006
Time Stamp:	13:52:13
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$1250
RAM confirmation Number	1518
Deposit Account	132725
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 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)				
1		RespMPs.pdf	381447	yes	9				
	Multipart Description/PDF files in .zip description								
	Document Description		Start	End					
	Extension of Time		1	1					
	Preliminary Amendment		2	2					
	Claims		3	5					
	Applicant Arguments/Remarks Made in an Amendment		6	6					
	Applicant Response to Pre-Exam Formalities Notice		7	9					
Warnings:									
Information:									
2	Fee Worksheet (PTO-875)	fee-info.pdf	8678	no	2				
Warnings:									
Information:									
Total Files Size (in bytes):			390125						
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.									

S/N 11/532,010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	TBA
Serial No.:	11/532,010	Group Art Unit:	2612
Filed:	September 14, 2006	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	2109
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

PETITION FOR EXTENSION OF TIME

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a one-month extension of time be granted in which to respond to the outstanding Notice to File Missing Parts mailed October 6, 2006, said period of response being extended from December 6, 2006 to January 6, 2006.

Please charge our Deposit Account No. 13-2725 in the amount of \$120.00 to cover the required extension fee for a large entity.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: December 12, 2006

/Robert A. Kalinsky/
Name: Robert A. Kalinsky
Reg. No.: 50,471

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 11/532,010	
APPLICATION AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY ()		OR
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	150	N/A	300
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	250	N/A	500
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	100	N/A	200
TOTAL CLAIMS (37 CFR 1.16(i))	19	minus 20 = *	X\$ 25=		X\$50=	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	X\$100=		X\$200=	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 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).		N/A		N/A	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) ()			TOTAL	500	TOTAL	1000
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OTHER THAN SMALL ENTITY
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T FEE
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OTHER THAN SMALL ENTITY
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T 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
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Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
11/532,010	09/14/2006	2612	1130	13835.0142USC1	8	19	3

CONFIRMATION NO. 2109

23552
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN55402-0903

UPDATED FILING RECEIPT

Date Mailed: 12/19/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. 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 mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. 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 (if appropriate).**

Applicant(s)

Joseph G. DeLuca, Colorado Springs, CO;
Jason M. Sharpe, Colorado Springs, CO;

Assignment For Published Patent Application

Walter Kidde Portable Equipment, Inc., Mebane, NC

Power of Attorney: The patent practitioners associated with Customer Number 23552

Domestic Priority data as claimed by applicant

This application is a CON of 10/916,922 08/12/2004 PAT 7,123,158
which claims benefit of 60/499,245 08/29/2003

Foreign Applications

If Required, Foreign Filing License Granted: 10/05/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is
US11/532,010

Projected Publication Date: 03/29/2007

Non-Publication Request: No

Early Publication Request: No

Title

Life Safety Alarm with a Sealed Battery Power Supply

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

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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).



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
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1

CONFIRMATION NO. 2109

23552
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN55402-0903

Title: Life Safety Alarm with a Sealed Battery Power Supply

Publication No. US-2007-0069904-A1

Publication Date: 03/29/2007

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 703-305-3028.

Pre-Grant Publication Division, 703-605-4283

PLUS Search Results for S/N 11532010, Searched Wed Sep 05 16:47:30 EDT 2007
The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

7123158 99	20020030600 66
20050088311 99	
20070069904 99	
5196829 78	
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EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	50	("7123158" "20050088311" "20070069904" "5196829" "5274358" "5621394" "6121885" "4837560" "5444434" "4862141" "4881063" "20040229113" "6118386" "4287517" "5475368" "5881021" "6433700" "5432500" "5450065" "5793184" "5929762" "4980672" "6229449" "4358760" "5986540" "6154012" "5594422" "5600230" "5752761" "5760681" "5473167" "4488555" "5820406" "6077107" "4525704" "5684404" "6312393" "4277782" "5523927" "6081197" "4276545" "4319234" "4404923" "4432041" "4812827" "4959637" "5539383" "5691703" "5950621" "20020030600").pn.	US-PGPUB; USPAT	OR	OFF	2007/09/10 18:00
S2	24	("2985741" "20020097162" "409264 1" "4313110" "4389635" "4553252" "4688021" "4829283" "4870395" " 4901056" "5028911" "5055830" "51 03216" "5272292" "5359168" "5444 434" "5578996" "5612678" "568213 1" "5793295" "5939994" "6160487" "6297745" "6433700").PN.	US-PGPUB; USPAT	OR	OFF	2007/09/10 18:00
S3	1899	((340/628) or (340/693.1) or (340/693.5) or (340/693.7) or (340/693.9) or (340/693.12)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2007/09/10 18:35
S4	1442	((361/601) or (361/679)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2007/09/10 18:35
S5	3333	S3 S4	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2007/09/10 19:03
S6	2	("5578996").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2007/09/10 19:04



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1	2109
23552 7590 09/20/2007 MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER HUNNINGS, TRAVIS R	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 09/20/2007	DELIVERY MODE PAPER

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

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	11/532,010	DELUCA ET AL.	
	Examiner	Art Unit	
	Travis R. Hunnings	2612	

-- 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 14 September 2006.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ 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

4) ☒ Claim(s) 30-48 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 30-48 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 14 September 2006 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).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

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)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)	5) ☐ Notice of Informal Patent Application
Paper No(s)/Mail Date <u>9/14/06</u>	6) ☐ Other: _____

DETAILED ACTION

Double Patenting

1. 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).

2. Claims 30-48 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 7,123,158. Although the conflicting claims are not identical, they are not patentably distinct from each other because they do not use the exact claim dependency, they are however directed to the same claimed invention and therefore are obviously combinable.

Claim Rejections - 35 USC § 102

3. 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.

4. Claims 41, 44 and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Meier (US Patent 6,297,745).

Regarding claim 41, Meier discloses *Housing For An Alarm* that has the following claimed limitations:

The claimed first portion is met by the base (column 2, lines 1-25);

The claimed second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics is met by the cover containing the detector (column 2, lines 1-25 and column 3, lines 13-23). It would be inherent that a battery is provided to power the electronics;

The claimed cooperating features on the first portion and the second portion that automatically activate the second portion upon initial attachment of the second portion to the first portion and deactivate the second portion after activation is met by the contact switch that automatically activates the device when it is attached (column 2, lines 1-25);

The claimed component to prevent reattachment of the second portion to the first portion once the second portion is deactivated is met by the strip-shaped region being broken off when the alarm housing is removed, preventing reattachment (column 2, lines 1-25).

Regarding claim 44, the claimed cooperating features comprise an activate/deactivate system and wherein the activate/deactivate system is configured to automatically activate the second portion upon initial attachment of the second portion to the first portion is met by the contact switch that automatically activates the device when it is attached (column 2, lines 1-25).

Regarding claim 45, the claimed activate/deactivate system is configured to enable the user to manually deactivate the second portion is met by the user pulling the device from the wall and deactivating it (column 2, lines 1-25).

Claim Rejections - 35 USC § 103

5. 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.

6. Claims 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meier.

Regarding claim 42, Meier does not specifically disclose the exact location of the alarm portion of the device however it would have been an obvious design choice to place the alarm electronics in either the base portion or the cover portion based on a

user preference. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier to have the alarm circuitry in the cover.

Regarding claim 43, the claim is interpreted and rejected as claim 42 stated above.

7. Claims 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Watson et al. (Watson; US Patent 5,578,996).

Regarding claim 46, Meier does not specifically disclose the claimed slider configured for one-way movement and having three positions. Watson discloses *Long Life Detector* that teaches various switches that may be used to facilitate the activate/deactivate switches. One of ordinary skill in the art would have used any kind of switch that would accomplish the desired result of turning the device off without being able to reactivate the device. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier according to the teachings of Watson to include a three-position one-way switch.

Regarding claim 48, Meier does not specifically disclose the claimed battery being sealed inside the second portion whereby the battery is not user replaceable. Watson teaches the battery not being replaceable by the user (column 3, lines 17-25).

Art Unit: 2612

Making the battery protected from user replacement would allow the device to be fully replaced when a battery runs out which would help to prevent other electronic components from failing from extended use. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier according to the teachings of Watson to seal the battery.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. 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.

TRH


BENJAMIN C. LEE
PRIMARY EXAMINER

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 13835.0142USC1	Application Number: ~~To Be Assigned~~ 11532010
	Applicant: DeLuca et al.	Confirmation No.: TBA
	Filing Date: On even date herewith	Group Art Unit: TBA

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/TH/	2,985,741	05/23/1961	Ellmann			
	4,092,641	05/30/1978	Bellinghausen et al.			
	4,313,110	01/26/1982	Subulak et al.			
	4,389,635	06/21/1983	Gallagher			
	4,553,252	11/ /1985	Harris H. Egendorf			
	4,688,021	08/18/1987	Buck et al.			
	4,829,283	05/09/1989	Spang et al.			
	4,870,395	09/26/1989	Belano			
	4,901,056	02/13/1990	Bellavia et al.			
	5,028,911	07/02/1991	Wanat et al.			
	5,055,830	10/08/1991	Cousins et al.			
	5,103,216	04/07/1992	Sisselman			
	5,272,292	12/21/1993	Aubert			
	5,359,168	10/25/1994	Cunningham			
	5,444,434	08/22/1995	Serby			
	5,578,996	11/26/1996	Watson et al.			
	5,612,678	03/18/1997	Shibata			
	5,682,131	10/28/1997	Gow			
	5,793,295	08/11/1998	Goldstein			
	5,939,994	08/17/1999	Meier et al.			
	6,160,487	12/12/2000	DeLuca			
	6,297,745	10/02/2001	Meier			
	2002/0097162	07/25/2002	Chambers			
/TH/	6,433,700	08/13/2002	Malewski et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
/TH/	0 714 158 A2	05/29/1996	EP			

EXAMINER /Travis Hunnings/	DATE CONSIDERED 09/10/2007
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

Notice of References Cited	Application/Control No. 11/532,010	Applicant(s)/Patent Under Reexamination DELUCA ET AL.	
	Examiner Travis R. Hunnings	Art Unit 2612	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,297,745	10-2001	Meier, Marco	340/693.11
*	B	US-5,578,996	11-1996	Watson et al.	340/628
*	C	US-7,123,158	10-2006	Deluca et al.	340/693.1
	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					
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	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.



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BIB DATA SHEET

CONFIRMATION NO. 2109

SERIAL NUMBER 11/532,010	FILING or 371(c) DATE 09/14/2006	CLASS 340	GROUP ART UNIT 2612	ATTORNEY DOCKET NO. 13835.0142USC1	
APPLICANTS Joseph G. DeLuca, Colorado Springs, CO; Jason M. Sharpe, Colorado Springs, CO; ** CONTINUING DATA ***** This application is a CON of 10/916,922 08/12/2004 PAT 7,123,158 <i>OK</i> which claims benefit of 60/499,245 08/29/2003 ** FOREIGN APPLICATIONS ***** <i>None.</i> ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 10/05/2006 <i>TRH 9/5/07</i>					
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and <u>TRAVIS R HUNNINGS/</u> Acknowledged <u>Examiner's Signature</u>	☐ Met after Allowance <u>Initials</u>	STATE OR COUNTRY CO	SHEETS DRAWINGS 8	TOTAL CLAIMS 19	INDEPENDENT CLAIMS 3
ADDRESS MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903 UNITED STATES					
TITLE Life Safety Alarm with a Sealed Battery Power Supply					
FILING FEE RECEIVED 1130	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		

Index of Claims



Application/Control No.

11/532,010

Examiner

Travis R. Hunnings

Applicant(s)/Patent under Reexamination

DELUCA ET AL.

Art Unit

2612

✓	Rejected
=	Allowed

—	(Through numeral) Cancelled
+	Restricted

N	Non-Elected
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A	Appeal
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Claim	Date
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Original	9/13/07
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Travis R. Hunnings

2612

[illegible]

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner

[illegible]

PATENT APPLICATION FEE DETERMINATION RECORD				Application or Docket Number	
Substitute for Form PTO-875				11/532,010	
APPLICATION AS FILED – PART I					
(Column 1)		(Column 2)		SMALL ENTITY ()	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	150	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	250	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	100	
TOTAL CLAIMS (37 CFR 1.16(i))	19	minus 20 = *	X\$ 25=		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	X\$100=		
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 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)) ()			N/A		
			TOTAL	500	
APPLICATION AS AMENDED – PART II					
(Column 1)		(Column 2)		SMALL ENTITY.	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))	18	Minus **	20 = 3	X =	
Independent (37 CFR 1.16(h))	3	Minus ***	3 = 3	X =	
Application Size Fee (37 CFR 1.16(s))				N/A	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				TOTAL ADD'T FEE	
(Column 1)		(Column 2)		OTHER THAN SMALL ENTITY	
AMENDMENT B	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))				N/A	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				TOTAL ADD'T FEE	

* If the difference in column 1 is less than zero, enter "0" in column 2.

* 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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	Travis R. Hunnings
Serial No.:	11/532,010	Group Art Unit:	2612
Filed:	September 14, 2006	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	2109
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

AMENDMENT AND RESPONSE

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

Dear Sir:

In response to the non-final Office Action mailed September 20, 2007, please consider and enter the following amendments and remarks.

Amendments to the claims are included with this paper.

Remarks are included with this paper.

A Terminal Disclaimer is filed herewith.

In the Claims

The following listing of the claims replaces all previous listings.

1.-29. (canceled)

30. (Previously Presented) A method of operating an electronic device, the method comprising:

powering electronics to operate the electronic device with at least one battery included in a second portion;

attaching the second portion to a first portion;

automatically activating the second portion upon the attachment of the second portion to the first portion using an activate/deactivate system; and

manually deactivating the second portion after activating the second portion, such that the second portion cannot be reactivated and the second portion cannot be reattached to the first portion.

31. (Previously Presented) The method of claim 30, wherein attaching the second portion to the first portion comprises mounting an alarm portion of a life safety device to a mounting bracket of the life safety device.

32. (Previously Presented) The method of claim 30, further comprising detecting a life threatening condition after automatic activation.

33. (Previously Presented) The method of claim 32, wherein detecting a life threatening condition comprises detecting smoke.

34. (Previously Presented) The method of claim 30, wherein activating the second portion comprises adjusting a slider of the activate/deactivate system to an activated position, the slider being configured for one-way movement.

35. (Previously Presented) The method of claim 34, wherein deactivating the second portion comprises adjusting the slider to a deactivated position.

36. (Previously Presented) The method of claim 30, further comprising sealing the battery inside the second portion to prevent replacement of the battery.

37. (Previously Presented) An electronic device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
an activation mechanism to activate the second portion;
a permanent deactivation mechanism to permit permanent deactivation of the second portion after the second portion has been activated; and
a reattachment prevention mechanism to prevent reattachment of the first and second portions once the second portion is permanently deactivated.

38. (Previously Presented) The electronic device of claim 37, wherein the electronic device is a life safety alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

39. (Previously Presented) The electronic device of claim 38, wherein the alarm portion includes a system to detect a life threatening condition.

40. (Previously Presented) The electronic device of claim 39, wherein the system comprises a smoke detection system.

41. (Currently Amended) A life safety device configured to detect smoke or carbon monoxide, comprising:
a first portion including a smoke or carbon monoxide detection system;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;

cooperating features on the first portion and the second portion that automatically activate the second portion upon initial attachment of the second portion to the first portion and deactivate the second portion after activation; and

a component to prevent reattachment of the second portion to the first portion once the second portion is deactivated.

42. (Previously Presented) The life safety device of claim 41, wherein the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

43. (Canceled)

44. (Previously Presented) The life safety device of claim 41, wherein the cooperating features comprise an activate/deactivate system, and wherein the activate/deactivate system is configured to automatically activate the second portion upon initial attachment of the second portion to the first portion.

45. (Previously Presented) The life safety device of claim 44, wherein the activate/deactivate system is configured to enable the user to manually deactivate the second portion.

46. (Previously Presented) The life safety device of claim 44, wherein the activate/deactivate system comprises a slider configured for one-way movement and having three positions.

47. (Previously Presented) The life safety device of claim 41, wherein, when deactivated, the second portion cannot be reactivated and the second portion cannot be reattached to the first portion.

48. (Previously Presented) The electronic device of claim 41, wherein the battery is sealed inside the second portion, whereby the battery is not user replaceable.

Remarks

This is in response to the non-final Office Action mailed September 20, 2007. Claim 43 is canceled without prejudice or disclaimer, and claim 41 is amended to incorporate subject matter from claim 43 and additional subject matter supported by the specification. Claims 30-42 and 44-48 remain pending. Reconsideration and allowance are requested for the following reasons.

I. Double Patenting

In section 2 of the Action, claims 30-48 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 7,123,158. This rejection is respectfully traversed, and the correctness of the rejection is not conceded. A Terminal Disclaimer is filed herewith to address this rejection. Reconsideration is requested.

II. Claim Rejections – 35 U.S.C. § 102

In section 4 of the Action, claims 41, 44, and 45 are rejected under 35 U.S.C. § 102(b) as being anticipated by Meier (U.S. Patent No. 6,297,745). This rejection is respectfully traversed, and the correctness of the rejection is not conceded. Reconsideration is requested for the following reasons.

Claim 41 is directed to a life safety device configured to detect smoke or carbon monoxide. Claim 41 recites, in part, a first portion including a smoke or carbon monoxide detection system.

Meier discloses a housing for a burglar alarm. See Meier, col. 1, ll. 11-51. Meier fails to disclose or suggest a device configured to detect smoke or carbon monoxide, as recited by claim 41. Meier therefore also fails to disclose a smoke or carbon monoxide detection system, as recited by claim 41. Reconsideration and allowance of claim 41, as well as claims 44 and 45 that depend therefrom, are requested.

III. Claim Rejections – 35 U.S.C. § 103

In section 6 of the Action, claims 42 and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Meier. This rejection is respectfully traversed, and the correctness of

the rejection is not conceded. Claims 42 and 43 depend from claim 41. As previously noted, Meier fails to disclose or suggest all of the limitations of claim 41. As such, claims 42 and 43 are patentable for at least the same reasons as claim 41. Reconsideration and allowance are requested.

In section 7, claims 46 and 48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Meier in view of Watson et al. (U.S. Patent No. 5,578,996). This rejection is respectfully traversed, and the correctness of the rejection is not conceded. Claims 46 and 48 depend from claim 41. Watson does not remedy the shortcomings of Meier noted above. As such, claims 46 and 48 are patentable for at least the same reasons as claim 41. Reconsideration and allowance are requested.

IV. Conclusion

Favorable reconsideration in the form of a Notice of Allowance is requested. Please contact the undersigned attorney with any questions regarding this application. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: March 10, 2008

/Robert A. Kalinsky/
Name: Robert A. Kalinsky
Reg. No.: 50,471

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

13835.0142USC1

In re Application of: DeLuca et al.

Application No.: 11/532,010

Filed: September 14, 2006

For: Life Safety Alarm with a Sealed Battery Power Supply

The owner*, Walter Kidde Portable Equipment, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,123,158 B2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and 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 as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

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.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 50,471

/Robert A. Kalinsky/
Signature

March 7, 2008
Date

Robert A. Kalinsky
Typed or printed name

612.332.5300
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*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.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		11532010		
Filing Date:		14-Sep-2006		
Title of Invention:		Life Safety Alarm with a Sealed Battery Power Supply		
First Named Inventor/Applicant Name:		Joseph G. DeLuca		
Filer:		Robert A. Kalinsky		
Attorney Docket Number:		13835.0142USC1		
Filed as Large Entity				
Utility 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:				
Statutory disclaimer	1814	1	130	130
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	1253	1	1050	1050
Miscellaneous:				
Total in USD (\$)				1180

Electronic Acknowledgement Receipt	
EFS ID:	2971410
Application Number:	11532010
International Application Number:	
Confirmation Number:	2109
Title of Invention:	Life Safety Alarm with a Sealed Battery Power Supply
First Named Inventor/Applicant Name:	Joseph G. DeLuca
Customer Number:	23552
Filer:	Robert A. Kalinsky
Filer Authorized By:	
Attorney Docket Number:	13835.0142USC1
Receipt Date:	11-MAR-2008
Filing Date:	14-SEP-2006
Time Stamp:	08:35:51
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1180
RAM confirmation Number	5478
Deposit Account	132725
Authorized User	KALINSKY,ROBERT A.
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 1.19 (Document supply 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	Extension of Time	PetExtTime-3.PDF	75904 b7727009bb29a12cb224c8bb39427c0ad478c675	no	1
Warnings:					
Information:					
2		2959483-1-Amendment.PDF	31580 d817abe16978db16fa4b2c59bb646d71b4b705fa	yes	6
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment - After Non-Final Rejection		1	1	
	Claims		2	4	
	Applicant Arguments/Remarks Made in an Amendment		5	6	
Warnings:					
Information:					
3	Terminal Disclaimer Filed	Terminal-Disclaimer--Previously-Issued-Patent.PDF	193982 54ee34fd5b8e2262c5a144521e3360c5120c0bb9	no	2
Warnings:					
Information:					
4	Fee Worksheet (PTO-06)	fee-info.pdf	8302 621ca326bd41219f135d59a51eeeb46fab478d9f	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			309768		

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New Applications Under 35 U.S.C. 111

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

National Stage of an International Application under 35 U.S.C. 371

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

New International Application Filed with the USPTO as a Receiving Office

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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.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2006 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) 13835.0142USC1																									
Application Number 11/532,010		Filed September 14, 2006																									
For Life Safety Alarm with a Sealed Battery Power Supply																											
Art Unit 2612		Examiner Travis R. Hunnings																									
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 style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 40%;"></th><th style="width: 15%; text-align: center;"><u>Fee</u></th><th style="width: 15%; text-align: center;"><u>Small Entity Fee</u></th><th style="width: 30%;"></th></tr></thead><tbody><tr><td>☐ One month (37 CFR 1.17(a)(1))</td><td style="text-align: center;">\$120</td><td style="text-align: center;">\$60</td><td>\$ _____</td></tr><tr><td>☐ Two months (37 CFR 1.17(a)(2))</td><td style="text-align: center;">\$460</td><td style="text-align: center;">\$230</td><td>\$ _____</td></tr><tr><td>☒ Three months (37 CFR 1.17(a)(3))</td><td style="text-align: center;">\$1050</td><td style="text-align: center;">\$525</td><td>\$ 1,050</td></tr><tr><td>☐ Four months (37 CFR 1.17(a)(4))</td><td style="text-align: center;">\$1640</td><td style="text-align: center;">\$820</td><td>\$ _____</td></tr><tr><td>☐ Five months (37 CFR 1.17(a)(5))</td><td style="text-align: center;">\$2230</td><td style="text-align: center;">\$1115</td><td>\$ _____</td></tr></tbody></table> ☐ Applicant claims small entity status. See 37 CFR 1.27. ☐ A check in the amount of the fee is enclosed. ☒ Payment by credit card. Form PTO-2038 is attached. (Electronically filed.) ☐ 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>13-2725</u>. I have enclosed a duplicate copy of this sheet. 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/inventor. ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). ☒ attorney or agent of record. Registration Number <u>50,471</u> ☐ attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____ <u>/Robert A. Kalinsky/</u> Signature <u>March 7, 2008</u> Date <u>Robert A. Kalinsky</u> Typed or printed name <u>612.332.5300</u> Telephone Number					<u>Fee</u>	<u>Small Entity Fee</u>		☐ One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____	☐ Two months (37 CFR 1.17(a)(2))	\$460	\$230	\$ _____	☒ Three months (37 CFR 1.17(a)(3))	\$1050	\$525	\$ 1,050	☐ Four months (37 CFR 1.17(a)(4))	\$1640	\$820	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ _____
	<u>Fee</u>	<u>Small Entity Fee</u>																									
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☐ Four months (37 CFR 1.17(a)(4))	\$1640	\$820	\$ _____																								
☐ Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ _____																								
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. ☐ 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Application Number 	Application/Control No. 11/532,010	Applicant(s)/Patent under Reexamination DELUCA ET AL.	

Document Code - DISQ	Internal Document – DO NOT MAIL
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TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 03-11-08	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
KAREN L. WARD

U.S. Patent and Trademark Office



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1	2109
23552 7590 05/22/2008 MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER HUNNINGS, TRAVIS R	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 05/22/2008	DELIVERY MODE PAPER

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.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 41, 42, 44-46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meier (US Patent 6,297,745) in view of Watson et al. (Watson; US Patent 5,578,996).

Regarding claim 41, Meier discloses *Housing For An Alarm* that has the following claimed limitations:

The claimed first portion is met by the base (column 2, lines 1-25);

The claimed second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics is met by the cover containing the detector (column 2, lines 1-25 and column 3, lines 13-23). It would be inherent that a battery is provided to power the electronics;

The claimed cooperating features on the first portion and the second portion that automatically activate the second portion upon initial attachment of the second portion to the first portion and deactivate the second portion after activation is met by the contact switch that automatically activates the device when it is attached (column 2, lines 1-25);

The claimed component to prevent reattachment of the second portion to the first portion once the second portion is deactivated is met by the strip-shaped region being

broken off when the alarm housing is removed, preventing reattachment (column 2, lines 1-25).

However, Meier does not specifically disclose the claimed including a smoke or carbon monoxide detection system. Watson discloses *Long Life Detector* that teaches a smoke detector for use with a single-use housing (column 1, lines 40-43). Modifying Meier to use an ambient condition detector instead of a burglar detector would increase the flexibility of the device by allowing it to not only detect intruders in one embodiment but to also detect ambient conditions such as smoke and fire in another embodiment. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier according to the teachings of Watson to include a smoke detection system.

Meier does not specifically disclose the exact location of the alarm portion of the device however it would have been obvious to place the alarm electronics in either the base portion or the cover portion based on a user preference. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier to have the alarm circuitry in the cover.

Regarding claim 42, Meier does not specifically disclose the exact location of the alarm portion of the device however it would have been an obvious design choice to place the alarm electronics in either the base portion or the cover portion based on a user preference. Therefore it would have been obvious to one of ordinary skill in the art

at the time of the invention to modify the device disclosed by Meier to have the alarm circuitry in the cover.

Regarding claim 44, the claimed cooperating features comprise an activate/deactivate system and wherein the activate/deactivate system is configured to automatically activate the second portion upon initial attachment of the second portion to the first portion is met by the contact switch that automatically activates the device when it is attached (column 2, lines 1-25).

Regarding claim 45, the claimed activate/deactivate system is configured to enable the user to manually deactivate the second portion is met by the user pulling the device from the wall and deactivating it (column 2, lines 1-25).

Regarding claim 46, Meier does not specifically disclose the claimed slider configured for one-way movement and having three positions. Watson discloses *Long Life Detector* that teaches various switches that may be used to facilitate the activate/deactivate switches. One of ordinary skill in the art would have used any kind of switch that would accomplish the desired result of turning the device off without being able to reactivate the device. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier according to the teachings of Watson to include a three-position one-way switch.

Regarding claim 48, Meier does not specifically disclose the claimed battery being sealed inside the second portion whereby the battery is not user replaceable. Watson teaches the battery not being replaceable by the user (column 3, lines 17-25). Making the battery protected from user replacement would allow the device to be fully replaced when a battery runs out which would help to prevent other electronic components from failing from extended use. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Meier according to the teachings of Watson to seal the battery.

Allowable Subject Matter

3. Claims 30-40 are allowed.
4. Claim 47 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 41, 42, 44-46 and 48 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. 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 TRAVIS R. HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George A. Bugg can be reached on (571) 272-2998. 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.

TRH

/George A Bugg/
Acting SPE of Art Unit 2612

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L3	3564	L1 L2	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2008/05/15 13:56
L2	1601	((361/601) or (361/679)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2008/05/15 13:56
L1	1974	((340/628) or (340/693.1) or (340/693.5) or (340/693.7) or (340/693.9) or (340/693.12)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2008/05/15 13:56

5/ 15/ 08 1:56:28 PM

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Life Safety Alarm With A Sealed Battery Power Supply\11532010 - 20070910.wsp

<i>Index of Claims</i> 	Application/Control No. 11532010	Applicant(s)/Patent Under Reexamination DELUCA ET AL.
	Examiner TRAVIS R HUNNINGS	Art Unit 2612

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

☐ Claims renumbered in the same order as presented by applicant										☐ CPA										☒ T.D.										☐ R.1.47									
CLAIM			DATE																																				
Final	Original	05/15/2008																																					
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<i>Index of Claims</i> 	Application/Control No. 11532010	Applicant(s)/Patent Under Reexamination DELUCA ET AL.
	Examiner TRAVIS R HUNNINGS	Art Unit 2612

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

☐ Claims renumbered in the same order as presented by applicant			☐ CPA			☒ T.D.			☐ R.1.47		
CLAIM		DATE									
Final	Original	05/15/2008									
	37	=									
	38	=									
	39	=									
	40	=									
	41	✓									
	42	✓									
	43	=									
	44	✓									
	45	✓									
	46	✓									
	47	O									
	48	✓									

Search Notes 	Application/Control No. 11532010	Applicant(s)/Patent Under Reexamination DELUCA ET AL.
	Examiner TRAVIS R HUNNINGS	Art Unit 2612

SEARCHED			
Class	Subclass	Date	Examiner
340	628, 693.1, 693.5, 693.7, 693.9, 693.12	9/10/07	TRH
361	601, 679	9/10/07	TRH

SEARCH NOTES		
Search Notes	Date	Examiner
Plus/Inventorship search	9/5/07	TRH
EAST history attached	9/13/07	TRH
updated EAST history attached	5/15/08	TRH

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	Travis R. Hunnings
Serial No.:	11/532,010	Group Art Unit:	2612
Filed:	September 14, 2006	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	2109
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

AMENDMENT AND RESPONSE

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

Dear Sir:

In response to the final Office Action mailed May 22, 2008, please consider and enter the following amendments and remarks.

Amendments to the claims are included with this paper.

Remarks are included with this paper.

In the Claims

The following listing of the claims replaces all previous listings.

1.-29. (canceled)

30. (Previously Presented) A method of operating an electronic device, the method comprising:

powering electronics to operate the electronic device with at least one battery included in a second portion;

attaching the second portion to a first portion;

automatically activating the second portion upon the attachment of the second portion to the first portion using an activate/deactivate system; and

manually deactivating the second portion after activating the second portion, such that the second portion cannot be reactivated and the second portion cannot be reattached to the first portion.

31. (Previously Presented) The method of claim 30, wherein attaching the second portion to the first portion comprises mounting an alarm portion of a life safety device to a mounting bracket of the life safety device.

32. (Previously Presented) The method of claim 30, further comprising detecting a life threatening condition after automatic activation.

33. (Previously Presented) The method of claim 32, wherein detecting a life threatening condition comprises detecting smoke.

34. (Previously Presented) The method of claim 30, wherein activating the second portion comprises adjusting a slider of the activate/deactivate system to an activated position, the slider being configured for one-way movement.

35. (Previously Presented) The method of claim 34, wherein deactivating the second portion comprises adjusting the slider to a deactivated position.

36. (Previously Presented) The method of claim 30, further comprising sealing the battery inside the second portion to prevent replacement of the battery.

37. (Previously Presented) An electronic device, comprising:
a first portion;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;
an activation mechanism to activate the second portion;
a permanent deactivation mechanism to permit permanent deactivation of the second portion after the second portion has been activated; and
a reattachment prevention mechanism to prevent reattachment of the first and second portions once the second portion is permanently deactivated.

38. (Previously Presented) The electronic device of claim 37, wherein the electronic device is a life safety alarm, the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

39. (Previously Presented) The electronic device of claim 38, wherein the alarm portion includes a system to detect a life threatening condition.

40. (Previously Presented) The electronic device of claim 39, wherein the system comprises a smoke detection system.

41. (Currently Amended) A life safety device configured to detect smoke or carbon monoxide, comprising:
a first portion including a smoke or carbon monoxide detection system;
a second portion configured for attachment to the first portion, the second portion including electronics to operate the device and at least one battery for powering the electronics;

cooperating features on the first portion and the second portion that automatically activate the second portion upon initial attachment of the second portion to the first portion and deactivate the second portion after activation; and

a component to prevent reattachment of the second portion to the first portion once the second portion is deactivated;

wherein, when deactivated, the second portion cannot be reactivated and the second portion cannot be reattached to the first portion.

42. (Previously Presented) The life safety device of claim 41, wherein the first portion comprises a mounting bracket of the life safety alarm, and the second portion comprises an alarm portion of the life safety alarm.

43. (Canceled)

44. (Previously Presented) The life safety device of claim 41, wherein the cooperating features comprise an activate/deactivate system, and wherein the activate/deactivate system is configured to automatically activate the second portion upon initial attachment of the second portion to the first portion.

45. (Previously Presented) The life safety device of claim 44, wherein the activate/deactivate system is configured to enable the user to manually deactivate the second portion.

46. (Previously Presented) The life safety device of claim 44, wherein the activate/deactivate system comprises a slider configured for one-way movement and having three positions.

47. (Canceled)

48. (Previously Presented) The electronic device of claim 41, wherein the battery is sealed inside the second portion, whereby the battery is not user replaceable.

Remarks

This is in response to the final Office Action mailed May 22, 2008. Claim 47 is canceled without prejudice or disclaimer, and claim 41 is amended to incorporate subject matter from claim 47. Claims 30-42, 44-46, and 48 remain pending. Reconsideration and allowance are requested for the following reasons.

I. Claim Rejections – 35 U.S.C. § 103

In section 2 of the Action, claims 41, 42, 44-46, and 48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Meier (U.S. Patent No. 6,297,745) in view of Watson (U.S. Patent No. 5,578,996). This rejection is respectfully traversed, and the correctness of the rejection is not conceded. Reconsideration is requested for the following reasons.

Claim 41 is amended to incorporate allowable subject matter from claim 47. Reconsideration and allowance of claim 41, as well as claims 24, 44-46, and 48 that depend therefrom, are therefore requested.

II. Allowable Subject Matter

In sections 3 and 4, claims 30-40 are noted as being allowed, and claim 47 is noted as being allowable. The Examiner's assistance in identifying allowable subject matter is appreciated. All claims are in condition for allowance.

III. Conclusion

Favorable reconsideration in the form of a Notice of Allowance is requested. Please contact the undersigned attorney with any questions regarding this application. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: November 17, 2008

/Robert A. Kalinsky/
Name: Robert A. Kalinsky
Reg. No.: 50,471

Electronic Patent Application Fee Transmittal				
Application Number:		11532010		
Filing Date:		14-Sep-2006		
Title of Invention:		Life Safety Alarm with a Sealed Battery Power Supply		
First Named Inventor/Applicant Name:		Joseph G. DeLuca		
Filer:		Robert A. Kalinsky/Patricia Larrimore		
Attorney Docket Number:		13835.0142USC1		
Filed as Large 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:				
Notice of appeal	1401	1	540	540
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	1253	1	1110	1110
Miscellaneous:				
Total in USD (\$)				1650

Electronic Acknowledgement Receipt	
EFS ID:	4301884
Application Number:	11532010
International Application Number:	
Confirmation Number:	2109
Title of Invention:	Life Safety Alarm with a Sealed Battery Power Supply
First Named Inventor/Applicant Name:	Joseph G. DeLuca
Customer Number:	23552
Filer:	Robert A. Kalinsky
Filer Authorized By:	
Attorney Docket Number:	13835.0142USC1
Receipt Date:	19-NOV-2008
Filing Date:	14-SEP-2006
Time Stamp:	15:18:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1650
RAM confirmation Number	554
Deposit Account	132725
Authorized User	KALINSKY,ROBERT A.
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 1.19 (Document supply 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	Extension of Time	Ext-Time--3.PDF	346941 47a12d4423738bb60888b61c54f9c9c0fac ca4f	no	1
Warnings:					
Information:					
2	Notice of Appeal Filed	Notice-of-Appeal.PDF	238642 d9432b85fbc11ce7e127d5b8771938e545 4d9d9	no	2
Warnings:					
Information:					
3		Amendment.PDF	28858 b15c0af33ece09d16dc5af4aa82f76ab614 cde6	yes	5
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Argument after Notice of Appeal		1	1	
	Claims		2	4	
	Applicant Arguments/Remarks Made in an Amendment		5	5	
Warnings:					
Information:					
4	Fee Worksheet (PTO-06)	fee-info.pdf	32165 9fc0e0e56ccaa07e35e0f9251d4e18cb7641 9d32	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			646606		

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.

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.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)																									
FY 2009 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		13835.0142USC1																									
Application Number 11/532,010		Filed September 14, 2006																									
For Life Safety Alarm with a Sealed Battery Power Supply																											
Art Unit 2612		Examiner Travis R. Hunnings																									
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 style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 15%; text-align: center;"><u>Fee</u></th> <th style="width: 15%; text-align: center;"><u>Small Entity Fee</u></th> <th style="width: 30%;"></th> </tr> </thead> <tbody> <tr> <td>☐ One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$130</td> <td style="text-align: center;">\$65</td> <td>\$ _____</td> </tr> <tr> <td>☐ Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$490</td> <td style="text-align: center;">\$245</td> <td>\$ _____</td> </tr> <tr> <td>☒ Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1110</td> <td style="text-align: center;">\$555</td> <td>\$ <u>1,110</u></td> </tr> <tr> <td>☐ Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1730</td> <td style="text-align: center;">\$865</td> <td>\$ _____</td> </tr> <tr> <td>☐ Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2350</td> <td style="text-align: center;">\$1175</td> <td>\$ _____</td> </tr> </tbody> </table> ☐ Applicant claims small entity status. See 37 CFR 1.27. ☐ 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>132725</u>. 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/inventor. ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). ☒ attorney or agent of record. Registration Number <u>50471</u> ☐ attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____ _____ /Robert A. Kalinsky/ Signature Robert A. Kalinsky Typed or printed name November 17, 2008 Date 612.332.5300 Telephone Number NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. ☐ Total of _____ forms are submitted.					<u>Fee</u>	<u>Small Entity Fee</u>		☐ One month (37 CFR 1.17(a)(1))	\$130	\$65	\$ _____	☐ Two months (37 CFR 1.17(a)(2))	\$490	\$245	\$ _____	☒ Three months (37 CFR 1.17(a)(3))	\$1110	\$555	\$ <u>1,110</u>	☐ Four months (37 CFR 1.17(a)(4))	\$1730	\$865	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$2350	\$1175	\$ _____
	<u>Fee</u>	<u>Small Entity Fee</u>																									
☐ One month (37 CFR 1.17(a)(1))	\$130	\$65	\$ _____																								
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☐ Four months (37 CFR 1.17(a)(4))	\$1730	\$865	\$ _____																								
☐ Five months (37 CFR 1.17(a)(5))	\$2350	\$1175	\$ _____																								

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: 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.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 13835.0142USC1				
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ N/A Signature _____ Typed or printed name _____	In re Application of Deluca et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Application Number 11/532,010</td> <td style="width: 50%; padding: 2px;">Filed 2006-09-14</td> </tr> </table> For Life Safety Alarm with a Sealed Battery Power Supply <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Art Unit 2612</td> <td style="width: 50%; padding: 2px;">Examiner Travis R. Hunnings</td> </tr> </table>		Application Number 11/532,010	Filed 2006-09-14	Art Unit 2612	Examiner Travis R. Hunnings
Application Number 11/532,010	Filed 2006-09-14					
Art Unit 2612	Examiner Travis R. Hunnings					

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

☐ 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 No. 132725.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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/inventor. ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) ☒ attorney or agent of record. Registration number <u>50471</u> ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>/Robert A. Kalinsky/</u> Signature <u>Robert A. Kalinsky</u> Typed or printed name <u>612.332.5300</u> Telephone number <u>November 17, 2008</u> Date
---	---

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. 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, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

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 11/532,010		Filing Date 09/14/2006		☐ To be Mailed	
---	--	--	--	--	---	--	----------------------------------	--	---------------------------------------	--

APPLICATION AS FILED – PART I						OTHER THAN SMALL ENTITY					
(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			N/A					
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A					
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A					
TOTAL CLAIMS (37 CFR 1.16(j))	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 \$250 (\$125 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.											
APPLICATION AS AMENDED – PART II											
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT	11/19/2008	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(j))		* 16	Minus	** 20	= 0	X \$ =		OR	X \$52=	0	
Independent (37 CFR 1.16(h))		* 3	Minus	***3	= 0	X \$ =		OR	X \$220=	0	
☐ Application Size Fee (37 CFR 1.16(s))											
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	0	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(j))		*	Minus	**	=	X \$ =		OR	X \$ =		
Independent (37 CFR 1.16(h))		*	Minus	***	=	X \$ =		OR	X \$ =		
☐ Application Size Fee (37 CFR 1.16(s))											
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest 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
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

23552 7590 12/19/2008
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER	
HUNNINGS, TRAVIS R	
ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 12/19/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1	2109
TITLE OF INVENTION: LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/19/2009

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 SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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)

23552 7590 12/19/2008

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

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.
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1	2109

TITLE OF INVENTION: LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/19/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HUNNINGS, TRAVIS R	2612	340-693100

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 credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information 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.

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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.
11/532,010	09/14/2006	Joseph G. DeLuca	13835.0142USC1	2109
23552	7590	12/19/2008	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			HUNNINGS, TRAVIS R	
			ART UNIT	PAPER NUMBER
			2612	
DATE MAILED: 12/19/2008				

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

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

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 Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	11/532,010	DELUCA ET AL.	
	Examiner	Art Unit	
	TRAVIS R. HUNNINGS	2612	

-- 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 amendment filed 19 November 2008.

2. ☒ The allowed claim(s) is/are 30-42, 44-46 and 48.

3. ☐ 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 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.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. ☐ Notice of Informal Patent Application 6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ 7. ☐ Examiner's Amendment/Comment 8. ☒ Examiner's Statement of Reasons for Allowance 9. ☐ Other _____
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DETAILED ACTION

Allowable Subject Matter

1. Claims 30-42, 44-46 and 48 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art does not disclose nor suggest an electronic device or a method of operating an electronic device wherein the device can be manually deactivated as claimed and is unable to be reactivated as claimed.

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

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS R. HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin C. Lee can be reached on (571) 272-2963. 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.

TRH

/Benjamin C. Lee/
Supervisory Patent Examiner, Art Unit 2612

Issue Classification 	Application/Control No. 11532010	Applicant(s)/Patent Under Reexamination DELUCA ET AL.
	Examiner TRAVIS R HUNNINGS	Art Unit 2612

ORIGINAL						INTERNATIONAL CLASSIFICATION												
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED							
340		693.1				G	0	8	B	23 / 00 (2006.01.01)								
CROSS REFERENCE(S)																		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	
340	693.5	693.7	693.9	693.12														
361	679																	

☐ 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	-	17	4	33										
-	2	-	18	5	34										
-	3	-	19	6	35										
-	4	-	20	7	36										
-	5	-	21	8	37										
-	6	-	22	9	38										
-	7	-	23	10	39										
-	8	-	24	11	40										
-	9	-	25	12	41										
-	10	-	26	13	42										
-	11	-	27	-	43										
-	12	-	28	14	44										
-	13	-	29	15	45										
-	14	1	30	16	46										
-	15	2	31	-	47										
-	16	3	32	17	48										

/TRAVIS R HUNNINGS/ Examiner.Art Unit 2612 (Assistant Examiner)	12/5/08 (Date)	Total Claims Allowed: 17	
/BENJAMIN C LEE/ Supervisory Patent Examiner.Art Unit 2612 (Primary Examiner)	12/06/2008 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Search Notes 	Application/Control No. 11532010	Applicant(s)/Patent Under Reexamination DELUCA ET AL.
	Examiner TRAVIS R HUNNINGS	Art Unit 2612

SEARCHED			
Class	Subclass	Date	Examiner
340	628, 693.1, 693.5, 693.7, 693.9, 693.12	9/10/07	TRH
361	601, 679	9/10/07	TRH

SEARCH NOTES		
Search Notes	Date	Examiner
Plus/Inventorship search	9/5/07	TRH
EAST history attached	9/13/07	TRH
updated EAST history attached	5/15/08	TRH
updated EAST history attached	12/5/08	TRH

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
340	693.1, 693.5, 693.7, 693.4, 693.12	12/5/08	TRH
361	679	12/5/08	TRH

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EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2039	((340/628) or (340/693.1) or (340/693.5) or (340/693.7) or (340/693.9) or (340/693.12)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2008/12/05 22:23
L2	1759	((361/601) or (361/679)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2008/12/05 22:23
L3	3787	L1 L2	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2008/12/05 22:23

12/ 5/ 08 10:25:02 PM

C:\Documents and Settings\thunnings\My Documents\EAST\Workspaces\ 11532010 - Life Safety Alarm With A Sealed Battery Power Supply\ 11532010 - 20070910.wsp

Ok to Enter. /TRH/ 12/5/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DeLuca et al.	Examiner:	Travis R. Hunnings
Serial No.:	11/532,010	Group Art Unit:	2612
Filed:	September 14, 2006	Docket No.:	13835.0142USC1
Customer No.:	23552	Confirmation No.:	2109
Title:	Life Safety Alarm with a Sealed Battery Power Supply		

AMENDMENT AND RESPONSE

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

Dear Sir:

In response to the final Office Action mailed May 22, 2008, please consider and enter the following amendments and remarks.

Amendments to the claims are included with this paper.

Remarks are included with this paper.

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)

23552 7590 12/19/2008

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

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)
N/A (Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/532,010 09/14/2006 Joseph G. DeLuca 13835.0142USC1 2109

TITLE OF INVENTION: LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 03/19/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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HUNNINGS, TRAVIS R 2612 340-693100

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 Merchant & Gould P.C.
(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

Walter Kidde Portable Equipment, Inc.

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

Mebane, NC

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 credit any overpayment, to Deposit Account Number 13-2725 (enclose an extra copy of this form).

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

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Robert A. Kalinsky/

Date March 18, 2009

Typed or printed name Robert A. Kalinsky

Registration No. 50,471

This collection of information 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.

Electronic Patent Application Fee Transmittal				
Application Number:		11532010		
Filing Date:		14-Sep-2006		
Title of Invention:		LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY		
First Named Inventor/Applicant Name:		Joseph G. DeLuca		
Filer:		Robert A. Kalinsky/Patricia Larrimore		
Attorney Docket Number:		13835.0142USC1		
Filed as Large 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	1501	1	1510	1510
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1810

Electronic Acknowledgement Receipt	
EFS ID:	4991973
Application Number:	11532010
International Application Number:	
Confirmation Number:	2109
Title of Invention:	LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY
First Named Inventor/Applicant Name:	Joseph G. DeLuca
Customer Number:	23552
Filer:	Robert A. Kalinsky
Filer Authorized By:	
Attorney Docket Number:	13835.0142USC1
Receipt Date:	19-MAR-2009
Filing Date:	14-SEP-2006
Time Stamp:	08:05:10
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1810
RAM confirmation Number	6925
Deposit Account	132725
Authorized User	KALINSKY,ROBERT A.
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 1.19 (Document supply 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)	Part-B-Fees-Transmittal.PDF	128149	no	1
			0967e8ef8d2be1377d19807db89e44379d282112		

Warnings:

Information:

2	Fee Worksheet (PTO-06)	fee-info.pdf	32134	no	2
			82f63ed9e047886d16c8a75d174b8ef2fd095079		

Warnings:

Information:

Total Files Size (in bytes):			160283
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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.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/532,010	04/28/2009	7525445	13835.0142USC1	2109

23552 7590 04/08/2009
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

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 Customer Service Center of the Office of Patent Publication at (571)-272-4200.

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

Joseph G. DeLuca, Colorado Springs, CO;
Jason M. Sharpe, Colorado Springs, CO;

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT7307654

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT	
CONVEYING PARTY DATA		
	Name	Execution Date
	JOSEPH G. DELUCA	10/04/2004
	JASON M. SHARPE	10/04/2004
RECEIVING PARTY DATA		
Name:	WALTER KIDDE PORTABLE EQUIPMENT, INC.	
Street Address:	1394 SOUTH THIRD STREET	
Internal Address:	P.O. BOX 9199	
City:	MEBANE	
State/Country:	NORTH CAROLINA	
Postal Code:	27302	
PROPERTY NUMBERS Total: 1		
	Property Type	Number
	Patent Number:	7525445
CORRESPONDENCE DATA		
Fax Number:		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	5612671034	
Email:	james.edwards@carrier.com	
Correspondent Name:	JAMES EDWARDS	
Address Line 1:	13995 PASTEUR BLVD	
Address Line 4:	PALM BEACH GARDENS, FLORIDA 33458	
ATTORNEY DOCKET NUMBER:	49592US01	
NAME OF SUBMITTER:	JAMES EDWARDS	
SIGNATURE:	/James A. Edwards/	
DATE SIGNED:	05/02/2022	
	This document serves as an Oath/Declaration (37 CFR 1.63).	
Total Attachments: 3		
source=assignment-pat-16088-195-no.1#page1.tif		
source=assignment-pat-16088-195-no.1#page2.tif		
source=assignment-pat-16088-195-no.1#page3.tif		

ASSIGNMENT

WHEREAS, we, Joseph G. Deluca, residing at 2325 Rossmere Street, Colorado Springs, Colorado 80919 and Jason M. Sharpe, residing at 2675 Hanover town Drive, Colorado Springs, Colorado 80919, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on August 12, 2004, application Serial No. 10/916,922 which is entitled LIFE SAFETY ALARM WITH A SEALED BATTERY POWER SUPPLY.

AND WHEREAS, Walter Kidde Portable Equipment, Inc., a corporation organized and existing under and by virtue of the laws of the State of North Carolina, and having an office and place of business at 1394 South Third Street, P.O. Box 9199, Mebane, North Carolina 27302 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

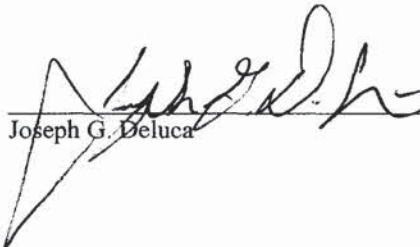
NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the

entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 4th day of OCTOBER, 2004.



Joseph G. Deluca

STATE OF CO)
COUNTY OF EL PASO) ss.

On this 4th day of October, 2004, before me personally appeared Joseph G. Deluca to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

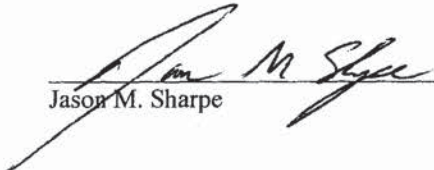


*My commission
Expires 6/13/2006*



Notary Public

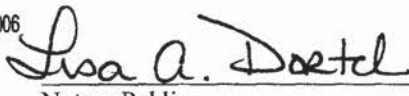
IN TESTIMONY WHEREOF, I have hereunto set my hand this 4th day of
October, 2004.


Jason M. Sharpe

STATE OF Colorado)
) ss.
COUNTY OF El Paso)

On this 4th day of October, 2004, before me personally appeared Jason M. Sharpe to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission Expires Aug. 20, 2006


Notary Public



AO 120 (Rev. 08/10)

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

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

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

DOCKET NO. 6:22-cv-566	DATE FILED 6/2/2022	U.S. DISTRICT COURT Western District of Texas
PLAINTIFF WALTER KIDDE PORTABLE EQUIPMENT INC.		DEFENDANT FIRST ALERT, INC. AND BRK BRANDS, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7123158	10/17/2006	WALTER KIDDE PORTABLE EQUIPMENT INC.
2 7525445	4/28/2009	WALTER KIDDE PORTABLE EQUIPMENT INC.
3 8791828	7/29/2014	WALTER KIDDE PORTABLE EQUIPMENT INC.
4 7403128	7/22/2008	WALTER KIDDE PORTABLE EQUIPMENT INC.
5		

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

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

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

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

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