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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/586,493	05/04/2017	Ian Nuhn	NUN-0007-US2	3957

27572 7590 07/26/2023

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EXAMINER

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ART UNIT

PAPER NUMBER

3617

NOTIFICATION DATE

DELIVERY MODE

07/26/2023

ELECTRONIC

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

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

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

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In re Patent 10,124,638
Nuhn Industries Ltd.
Application No.: 15/586,493
Filing Date: 04 May 2017
Attorney Docket No.: NUN-0007-US2
For: AMPHIBIOUS PUMPING VEHICLE

DECISION

This is a decision on the petition under 37 CFR 1.78(c) and (e), filed 19 July 2023, to accept an unintentionally delayed claim under 35 U.S.C. 119(e) and 120 for the benefit of priority to one or more prior-filed provisional and nonprovisional/international applications. This is also a decision on the concurrently filed petition to expedite under 37 CFR 1.182.

Petition Under 37 CFR 1.182

Applicant requests that the Office expedite review of the petition under 37 CFR 1.78(c) and (e) pursuant to 37 CFR 1.182. Applicant included the required \$168.00 petition fee for a small entity with this request. This is sufficient for a grantable petition.

The petition under 37 CFR 1.182 is **GRANTED**.

Petition Under 37 CFR 1.78(c) and (e)

Under 37 CFR 1.78(c) and (e), a petition to accept an unintentionally delayed claim under 35 U.S.C. 119(e) and 120 for the benefit of a prior-filed application must be accompanied by:

- (i) the reference required by 35 U.S.C. 119(e) and 120 and 37 CFR 1.78(a)(3) and 1.78(d)(2) to the prior-filed applications, unless previously submitted;
- (ii) the petition fee set forth in 37 CFR 1.17(m); and
- (iii) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(4) and (d)(3) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

With regard to item (i), a proper reference to the prior-filed applications has been included in an application data sheet as required by 37 CFR 1.78(a)(3) and (d)(2). Applicant also included a Certificate of Correction as required for the issued patent.

With regard to item (ii), the petition fee set forth in 37 CFR 1.17(m) has been submitted.

With regard to item (iii), the petition contains a proper statement of unintentional delay. Applicant also provided an explanation for the extended delay in filing this petition. Applicant's explanation is accepted.

For the reasons above, the petition under 37 CFR 1.78(c) and (e) is **GRANTED**.

Patentee is advised that the inclusion of a prior-filed application on any patent, published application, or certificate of correction should not be construed as meaning that the present application is necessarily entitled to the benefit of the prior-filed application. In order for an application to be entitled to the benefit of the prior-filed application, all other requirements under 35 U.S.C. 119(e) and 120 and 37 CFR 1.78 must be met.

This application is being forwarded to the Office of Data Management, Certificates of Correction Branch, for treatment of patentee's request for a certificate of correction.

/JAMES THOMSON/

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ATTACHMENT: corrected filing receipt