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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/467,271	04/24/2012	8163802	51900-TRUTEK-009	7676

34325 7590 04/04/2012
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

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 316 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Ashok Wahi, Hillsborough, NJ;



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/467,271	05/16/2009	1629	840	51900-TRUTEK-009	23	3

CONFIRMATION NO. 7676

CORRECTED FILING RECEIPT



34325
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

Date Mailed: 03/20/2012

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

Applicant(s)

Ashok Wahi, Hillsborough, NJ;

Assignment For Published Patent Application

TRUTEK CORP., Hillsborough, NJ

Power of Attorney: The patent practitioners associated with Customer Number 34325

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/085,855 08/03/2008
and claims benefit of 61/078,478 07/07/2008

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 05/28/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/467,271**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

Preliminary Class

514

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).

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

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

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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.

34325 7590 03/12/2012
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

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.
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12/467,271 05/16/2009 Ashok Wahi 51900-TRUTEK-009 7676

TITLE OF INVENTION: ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$870	\$300	\$0	\$1170	06/12/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
HENLEY III, RAYMOND J	1629	514-564000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

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

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Stanley H. Kremen

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)

TRUTEK CORP.

Hillsborough, New Jersey

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 /Stanley H. Kremen/

Date March 16, 2012

Typed or printed name Stanley H. Kremen

Registration No. 51900

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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Electronic Patent Application Fee Transmittal				
Application Number:	12467271			
Filing Date:	16-May-2009			
Title of Invention:	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD			
First Named Inventor/Applicant Name:	Ashok Wahi			
Filer:	Stanley H. Kremen			
Attorney Docket Number:	51900-TRUTEK-009			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	870	870
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 (\$)				1170

Electronic Acknowledgement Receipt

EFS ID:	12326599
Application Number:	12467271
International Application Number:	
Confirmation Number:	7676
Title of Invention:	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD
First Named Inventor/Applicant Name:	Ashok Wahi
Customer Number:	34325
Filer:	Stanley H. Kremen
Filer Authorized By:	
Attorney Docket Number:	51900-TRUTEK-009
Receipt Date:	16-MAR-2012
Filing Date:	16-MAY-2009
Time Stamp:	16:31:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1170
RAM confirmation Number	3560
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part (.zip, if appl.)	Pages (if appl.)

1	Issue Fee Payment (PTO-85B)	Issue-Fee-Transmittal.pdf	89518 26dadaa559feeae5455a977ceb968b209de14dd0	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31881 98d249bd7d68683a98bd0a31d7489ea6c5da9a54	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			121399		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



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NOTICE OF ALLOWANCE AND FEE(S) DUE

34325 7590 03/12/2012
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

EXAMINER

HENLEY III, RAYMOND J

ART UNIT

PAPER NUMBER

1629

DATE MAILED: 03/12/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/467,271

05/16/2009

Ashok Wahi

51900-TRUTEK-009

7676

TITLE OF INVENTION: ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$870	\$300	\$0	\$1170	06/12/2012

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.

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Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
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34325 7590 03/12/2012
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

Certificate of Mailing or Transmission

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/467,271 05/16/2009 Ashok Wahi 51900-TRUTEK-009 7676

TITLE OF INVENTION: ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

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 YES \$870 \$300 \$0 \$1170 06/12/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
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HENLEY III, RAYMOND J 1629 514-564000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

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

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

(A) NAME OF ASSIGNEE

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

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

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/467,271	05/16/2009	Ashok Wahi	51900-TRUTEK-009	7676

34325	7590	03/12/2012
STANLEY H. KREMEN		
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EAST BRUNSWICK, NJ 08816		

EXAMINER	
HENLEY III, RAYMOND J	

ART UNIT	PAPER NUMBER
1629	

DATE MAILED: 03/12/2012

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 316 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 316 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.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)	
	12/467,271	WAHI, ASHOK	
	Examiner	Art Unit	
	RAYMOND HENLEY III	1629	

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

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

1. ☒ This communication is responsive to the responsive papers filed February 22, 2012.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-23.
4. ☐ 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.

5. ☐ 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.
 6. ☐ 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).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

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

/Raymond J Henley III/
Primary Examiner
Art Unit: 1629

No Drawings filed.

Search Notes 	Application/Control No. 12467271	Applicant(s)/Patent Under Reexamination WAHI, ASHOK
	Examiner RAYMOND HENLEY III	Art Unit 1629

SEARCHED			
Class	Subclass	Date	Examiner
514	564, 643	8/19/2011	RJH
128	206.11	8/19/2011	RJH
514	564, 643	3/7/2012	RJH

SEARCH NOTES		
Search Notes	Date	Examiner
PALM/EDAN/EAST inventor search	8/19/2011	RJH
EAST (uspat, pgpub, derwent. ocr);notes attached hereto	8/19/2011	RJH
PALM/EDAN/EAST inventor search	3/7/2012	RJH
Re-ran EAST prior art search above; no references of further significance found.	3/7/2012	RJH

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
	Reference EAST prior art search noted above	3/7/2012	RJH

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<i>Index of Claims</i> 	Application/Control No. 12467271	Applicant(s)/Patent Under Reexamination WAHI, ASHOK
	Examiner RAYMOND HENLEY III	Art Unit 1629

✓	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	08/19/2011	03/07/2012													
	1	✓	=													
	2	✓	=													
	3	✓	=													
	4	✓	=													
	5	✓	=													
	6	✓	=													
	7	✓	=													
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	22	✓	=													
	23	✓	=													



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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/467,271	05/16/2009	Ashok Wahi	51900-TRUTEK-009	7676
34325	7590	02/27/2012	EXAMINER	
STANLEY H. KREMEN 4 LENAPE LANE EAST BRUNSWICK, NJ 08816			HENLEY III, RAYMOND J	
			ART UNIT	PAPER NUMBER
			1629	
			NOTIFICATION DATE	DELIVERY MODE
			02/27/2012	ELECTRONIC

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

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

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

uspto@patentsgroup.com

<i>Examiner-Initiated Interview Summary</i>	Application No. 12/467,271	Applicant(s) WAHI, ASHOK	
	Examiner RAYMOND HENLEY III	Art Unit 1629	

All participants (applicant, applicant's representative, PTO personnel):

(1) RAYMOND HENLEY III. (3) ____.

(2) Applicant's Representative (unintelligible message. (4) ____.

Date of Interview: 22 February 2012.

Type: ☒ Telephonic ☐ Video Conference
 ☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
 If Yes, brief description: ____.

Issues Discussed ☐101 ☐112 ☐102 ☐103 ☒Others
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: None.

Identification of prior art discussed: None.

Substance of Interview
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Received telephonic message in which the person's name was not clear. The caller wanted to know the status of the application, even though she indicated she knew it was in a status "Non-Final Action Mailed". Requested that I call her back. The telephone number provided, i.e., 1-908-685-1111, was called, but the Examiner received a message that the number indicated was not in service. The status of the application remains "Non-Final Action Mailed" as of August 23, 2011. No response has been received.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Raymond J Henley III/ Primary Examiner, Art Unit 1629	
---	--

AMENDMENTS TO THE CLAIMS

1. **(currently amended)** A method for electrostatically ~~inhibiting~~preventing harmful particulate matter from infecting an individual through nasal inhalation wherein a formulation is applied to skin or tissue of nasal passages of the individual in a thin film, said method comprising:
 - a) electrostatically attracting the particulate matter to the thin film;
 - b) holding the particulate matter in place by adjusting the adhesion of the thin film to permit said thin film to stick to the skin or tissue and by adjusting the cohesion of the formulation to provide adequate impermeability to the thin film; and,
 - c) inactivating the particulate matter by adding at least one ingredient that would render said particulate matter harmless.
2. **(currently amended)** A formulation for electrostatically ~~inhibiting~~preventing harmful particulate matter from infecting an individual through nasal inhalation wherein the formulation is applied to skin or tissue of nasal passages of the individual in a thin film, said formulation comprising at least one cationic agent and at least one biocidic agent, and wherein said formulation, once applied:
 - a) electrostatically attracts the particulate matter to the thin film;
 - b) holds the particulate matter in place by adjusting the adhesion of the thin film to permit said thin film to stick to the skin or tissue and by adjusting the cohesion of the formulation to provide adequate impermeability to the thin film; and,
 - c) inactivates the particulate matter and renders said particulate matter harmless.
3. **(original)** The formulation of claim 2 wherein the at least one cationic agent is a polymeric quaternary ammonium compound.

4. **(original)** The formulation of claim 3 wherein the at least one polymeric quaternary ammonium compound is taken from the group consisting of:
 - Polyquaternium - 10,
 - Polyquaternium - 22,
 - Polyquaternium - 67,
 - Polyquaternium - 70,
 - Polyquaternium - 72, and
 - Polyquaternium - 88.
5. **(original)** The formulation of claim 2 wherein the at least one cationic agent is Cocodimonium Hydroxypropyl Hydrolyzed Keratin or Hydroxypropyltrimonium Wheat Protein.
6. **(original)** The formulation of claim 2 wherein the at least one cationic agent is Benzalkonium Chloride.
7. **(original)** The formulation of claim 2 wherein the at least one biocidal agent is Benzalkonium Chloride or Lysine HCL.
8. **(currently amended)** A formulation for electrostatically inhibiting~~preventing~~ harmful particulate matter from infecting an individual through nasal inhalation wherein the formulation is applied to skin or tissue of nasal passages of the individual in a thin film, said formulation comprising:
 - a) at least one biocidal agent, and
 - b) at least one quaternary thickener.
9. **(original)** The formulation of claim 8 wherein the at least one biocidal agent is Benzalkonium Chloride or Lysine HCL.

10. **(original)** The formulation of claim 8 wherein the at least one quaternary thickener is taken from the group consisting of:
 - Polyquaternium - 10,
 - Polyquaternium - 22,
 - Polyquaternium - 67,
 - Polyquaternium - 70,
 - Polyquaternium - 72, and
 - Polyquaternium - 88.
11. **(original)** The formulation of claim 8 wherein the at least one cationic agent is Cocodimonium Hydroxypropyl Hydrolyzed Keratin or Hydroxypropyltrimonium Wheat Protein.
12. **(original)** The formulation of claim 8 wherein the at least one cationic agent is Benzalkonium Chloride.
13. **(original)** The formulation of claim 8 further comprising:
 - a) water,
 - b) a preservative,
 - c) a conditioner, and
 - d) an emulsifier.
14. **(original)** The formulation of claim 13 further comprising a neutralizing agent added to adjust a pH in the range of 5.0 to 6.8.
15. **(original)** The formulation of claim 13 further comprising a surfactant.
16. **(original)** The formulation of claim 13 further comprising a thickener.
17. **(original)** The formulation of claim 13 further comprising an emollient.
18. **(original)** The formulation of claim 13 further comprising a humectant.
19. **(original)** The formulation of claim 13 further comprising a binder.

20. **(original)** The formulation of claim 13 wherein the preservative is taken from the group consisting of:
- Phenoxyethanol,
 - Methylparaben,
 - Butylparaben,
 - Ethylparaben, and
 - Isobutylparaben.
21. **(original)** The formulation of claim 13 wherein the emulsifier is taken from the group consisting of:
- Cetyl Alcohol,
 - Cetearyl Alcohol,
 - Glyceryl Stearate,
 - Ceteareth - 20,
 - PEG - 40 Stearate,
 - Dicetyl Phosphate,
 - Ceteth - 10 Phosphate.
22. **(original)** The formulation of claim 16 wherein the thickener is Cetyl Alcohol or Stearyl Alcohol.
23. **(original)** The formulation of claim 13 wherein:
- a) the amount of water ranges from 54% to 90% by weight
 - b) the amount of the quaternary thickener ranges from 0.5% to 5.0% by weight.
 - c) the amount of biocidic agent ranges from 0.25% to 2% by weight.
 - d) the amount of emulsifier ranges from 0.5% to 4% by weight.

STANLEY H. KREMEN

REGISTERED PATENT AGENT
REGISTRATION NO. 51,900

4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

(732) 251-3623
FAX: (732) 723-9155
SHK@SHK-DPLC.COM

February 22, 2012

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

SUBMITTED ELECTRONICALLY VIA EFS-WEB

In RE:

Application No.:	12/467,271
Filing Date:	May 16, 2009
Confirmation No.:	7676
Inventor:	Ashok Wahi
Title of Invention:	ELECTROSTATICALLY CHARGED MULTI- ACTING NASAL APPLICATION, PRODUCT, AND METHOD
Atty. Docket No.:	51900-TRUTEK-009
Group Art Unit:	1629
Examiner:	Raymond J. Henley III
Last Office Action:	August 25, 2011

Dear Sir:

Your first non-final Office Action dated August 25, 2011 is hereby acknowledged.

REQUEST FOR EXTENSION OF TIME TO REPLY

Your Office Action afforded a three-month shortened statutory period for reply. That period expired on November 25, 2011. Therefore, the Applicant respectfully requests a three-month extension of time to reply to your Office Action. The appropriate small-entity fee for the extension is submitted herewith.

REPLY TO OFFICE ACTION

At the time of your Office Action, claims 1-23 were pending in the Present Application. In your Office Action, the Examiner rejected all pending claims under 35 U.S.C. §112, first paragraph for failing to meet the enablement requirement.

Independent claims 1, 2, and 8 recite a “method for electrostatically preventing¹ harmful particulate matter from infecting an individual through nasal inhalation” On page 2 of the Detailed Action Section of your Office Action, the Examiner stated that the 35 U.S.C. §112, first paragraph rejections could be overcome by amending claims 1, 2, and 8 “so as to delete the term ‘preventing’ and replacing it with the term ‘inhibiting.’” The Applicant submits a set of amended claims herewith that comply with the Examiner’s suggestions. Claims 1, 2, and 8 have been amended to now recite the term “inhibiting” instead of “preventing.”

Upon initial submission of the Present Application, the Applicant submitted an Information Disclosure Statement (IDS), which cited sixteen US patents and one published US patent application. On page 2 of the Detailed Action Section of your Office Action, the Examiner stated that the references cited by the Applicant have been considered.

No new prior art was cited by the Examiner. Furthermore, no claim was rejected based upon prior art.

REQUEST FOR ALLOWANCE OF APPLICATION

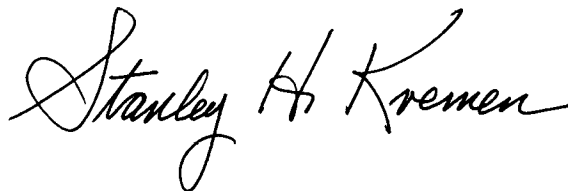
Based upon the submission of the set of amended claims, in which the Examiner’s suggestions to overcome the rejections were followed, the Applicant respectfully requests that the Examiner reverse his rejections of the pending claims and allow the entire application as amended.

APPLICANT’S ATTEMPT TO PROVIDE A COMPLETE RESPONSE

By submitting this reply to your Office Action, the Applicant made a good faith attempt to respond to every ground of rejection and objection posed by the Examiner. However, should this reply be deficient in any respect, the Applicant requests the courtesy of an Advisory Office Action that would permit him to correct the deficiency.

Thank you for your kind attention.

Respectfully submitted,

A handwritten signature in black ink that reads "Stanley H. Kremen". The signature is written in a cursive, flowing style.

Stanley H. Kremen,
Registered Patent Agent
Registration No. 51900
Customer No. 34325

¹ Emphasis Added

Electronic Patent Application Fee Transmittal				
Application Number:	12467271			
Filing Date:	16-May-2009			
Title of Invention:	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD			
First Named Inventor/Applicant Name:	Ashok Wahi			
Filer:	Stanley H. Kremen			
Attorney Docket Number:	51900-TRUTEK-009			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	2253	1	635	635

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				635

Electronic Acknowledgement Receipt

EFS ID:	12138241
Application Number:	12467271
International Application Number:	
Confirmation Number:	7676
Title of Invention:	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD
First Named Inventor/Applicant Name:	Ashok Wahi
Customer Number:	34325
Filer:	Stanley H. Kremen
Filer Authorized By:	
Attorney Docket Number:	51900-TRUTEK-009
Receipt Date:	22-FEB-2012
Filing Date:	16-MAY-2009
Time Stamp:	22:08:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$635
RAM confirmation Number	8432
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part (.zip, if appl.)	Pages (if appl.)

1	Claims	CLAIMS.pdf	68037 36f5720d4160973be782ccad3d1dba7e45936ff2	no	4
Warnings:					
Information:					
2	Applicant Arguments/Remarks Made in an Amendment	REPLY01.pdf	85342 2743817124309ad5746f251a7095056d54ed30f5	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30301 486ff90eaa4dc5783ac8655618ec74b63fda8657	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			183680		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

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STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816



**Courtesy Reminder for
Application Serial No: 12/467,271**

Attorney Docket No: 51900-TRUTEK-009

Customer Number: 34325

Date of Electronic Notification: 08/25/2011

This is a courtesy reminder that new correspondence is available for this application. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:

uspto@patentsgroup.com

Please verify that these email addresses are correct.

To view your correspondence online or update your email addresses, please visit us anytime at **<https://sportal.uspto.gov/secure/myportal/privatepair>**. If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/467,271

05/16/2009

Ashok Wahi

51900-TRUTEK-009

7676

34325

7590

08/25/2011

STANLEY H. KREMEN

4 LENAPE LANE

EAST BRUNSWICK, NJ 08816

EXAMINER

HENLEY III, RAYMOND J

ART UNIT

PAPER NUMBER

1629

NOTIFICATION DATE

DELIVERY MODE

08/25/2011

ELECTRONIC

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

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

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

uspto@patentsgroup.com

Office Action Summary	Application No. 12/467,271	Applicant(s) WAHI, ASHOK	
	Examiner RAYMOND HENLEY III	Art Unit 1629	

-- 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 5/16/2009 and papers subsequent thereto.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1-23 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-23 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ 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

- 13) ☐ 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 Draftperson'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>5/16/2009</u> . | 6) ☐ Other: ____. |

CLAIMS 1-23 ARE PRESENTED FOR EXAMINATION

Applicant's Information Disclosure Statement filed May 16, 2009 has been received and entered into the application. As reflected by the attached, completed copies of form PTO/SB/08, (3 sheets), the cited references have been considered.

Overcoming the Rejection Below

In order to overcome the rejection set forth *infra*, it is suggested that Applicant consider amending claims 1, 2 and 8 so as to delete the term "preventing" and replacing it with the term "inhibiting". While the latter is not specifically set forth in the present specification, it is nevertheless deemed that the concept thereof clearly finds support therein when the specification's teachings are taken as a whole, i.e., no new matter would be introduced by the introduction of the term "inhibition" in the claims.

Claim Rejection - 35 USC § 112, First Paragraph

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-23 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for, at the most, inhibition of infections, does not reasonably provide enablement for the prevention of the same, (see claims 1, 2 and 8; and thus the claims dependent therefrom). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

Burden on the Examiner for Making a Rejection Under 35 U.S.C. § 112 First Paragraph

As set forth in *In re Marzocchi*, 169 USPQ 367, 370 (CCPA 1971):

“[A] [s]pecification disclosure which contains teaching of manner and process of making and using the invention in terms corresponding to the scope to those used in describing and defining subject matter sought to be patented must be taken as in compliance with enabling requirement of first paragraph of 35 U.S.C. 112 *unless there is reason to doubt the objective truth of statements contain therein which must be relied on for enabling support*; assuming that sufficient reason for such doubt exists, a rejection for failure to teach how to make and/or use will be proper on that basis, such a rejection can be overcome by suitable proofs indicating that teaching contained in specification is truly enabling.” (emphasis added).

Here, the objective truth of the statement that an infection, which is taken to mean the introduction of an infectious element through the outside of a given host and into the system of such host, (see MPEP § 2113; terms given their broadest reasonable interpretation), may be prevented, (which again, given its broadest, reasonable interpretation), i.e., a material is ever kept from introduction into the system of a host, is doubted because the present claims merely recite a pharmacological composition while an effective prevention against the introduction of an infectious material into a host, especially where such material does not cause any pathology, would require that the exterior system of the host to be completely blocked so as to preclude any infectious material passing through such system and arriving within the system of the host.

In reading the present specification as a whole, it appears the tenor thereof is that infections, whether they cause a pathology or not, may be **inhibited** rather than be prevented. The former allowing at least one infectious material to pass into the system of the host rather than the latter which indicates that not even one of the infectious material is allowed to infect, i.e., pass into the system of the host.

As indicated above, the term “preventing” is here being interpreted as being synonymous with a circumstance such as where a vaccine is administered against a pathogen and the host to whom such was administered does not suffer from the pathogen’s effect even when present in the host’s system. As such the term “preventing” circumscribes a circumstance of almost absolute success. Because such success is not reasonably possible with the treatment of most infectious diseases/disorders, especially those having an etiology and pathophysiological manifestations as complex/poorly understood as encompassed by the present claims, the specification, which lacks an objective showing where prevention is actually manifest, is viewed as lacking an enabling disclosure of the same.

The Examiner notes that the term “prevent” is not *necessarily* synonymous with “cure” or the action of a vaccine, but such interpretation is proper given that “During patent examination, the pending claims must be ‘given their broadest reasonable interpretation consistent with the specification.’ *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).” (MPEP § 2111).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAYMOND HENLEY III whose telephone number is (571)272-0575. The examiner can normally be reached on M-F, 8:30 am to 4:00 pm Eastern Time.

Art Unit: 1629

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey S. Lundgren can be reached on 571-272-5541. 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.

/Raymond J Henley III/
Primary Examiner
Art Unit 1629

August 19, 2011

<i>Index of Claims</i> 	Application/Control No. 12467271	Applicant(s)/Patent Under Reexamination WAHI, ASHOK
	Examiner RAYMOND HENLEY III	Art Unit 1629

✓	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	08/19/2011											
	1	✓											
	2	✓											
	3	✓											
	4	✓											
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BIB DATA SHEET

CONFIRMATION NO. 7676

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.	
12/467,271	05/16/2009	514	1629	51900-TRUTEK-009	
RULE					
APPLICANTS Ashok Wahi, Hillsborough, NJ; ** CONTINUING DATA ***** This appln claims benefit of 61/085,555 08/01/2008 * and claims benefit of 61/078,478 07/07/2008 and claims benefit of 61/078,472 07/07/2008 (*)Data provided by applicant is not consistent with PTO records. ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 05/28/2009					
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /RAYMOND J HENLEY III/ Acknowledged Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY NJ	SHEETS DRAWINGS 0	TOTAL CLAIMS 23	INDEPENDENT CLAIMS 3
ADDRESS STANLEY H. KREMEN 4 LENAPE LANE EAST BRUNSWICK, NJ 08816 UNITED STATES					
TITLE ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD					
FILING FEE RECEIVED 540	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		

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

Application Number

Filing Date

2009-05-16

First Named Inventor

Ashok Wahi

Art Unit

1629

Examiner Name

Raymond J Henley III

Attorney Docket Number

51900-TRUTEK-009

U.S.PATENTS

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Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/R.H./	1	1071015		1913-08-26	Adler, J.	
	2	2237954		1941-04-08	Wilson, W.R.	
	3	2433565		1947-12-30	Korman, A.	
	4	2777442		1957-01-15	Zelano, J.	
	5	3145711		1964-08-25	Beber, A.	
	6	3513839		1970-05-26	Vacante, M.	
	7	4030491		1977-06-21	Mattila, A.	
/R.H./	8	4052983		1977-10-11	Bovender, C.R.	

/Raymond J. Henley III/

08/19/2011

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

Application Number		
Filing Date		2009-05-16
First Named Inventor	Ashok Wahi	
Art Unit	1629	
Examiner Name	Raymond J Henley III	
Attorney Docket Number	51900-TRUTEK-009	

/R.H./	9	4267831		1981-05-19	Aguilar, M.	
	10	4401117		1983-08-30	Gershuny, H.	
	11	4789504		1988-12-06	Ohmori, et.al.	
	12	4874659		1989-10-17	Ando, et.al.	
	13	2751906		1953-10-26	Irvine, M.E.	
	14	5468488		1995-11-21	Wahi, A.L.	
	15	5674481		1997-10-07	Wahi, A.L.	
/R.H./	16	6844005	B2	2005-01-18	Wahi, A.L.	

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

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Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
/R.H./	1	20030223934	A1	2003-12-04	Wahi, A.L.	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
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Application Number	
Filing Date	2009-05-16
First Named Inventor	Ashok Wahi
Art Unit	1629
Examiner Name	R.J.Henley III
Attorney Docket Number	51900-TRUTEK-009

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EXAMINER SIGNATURE								
Examiner Signature	/Raymond J. Henley III/					Date Considered	08/19/2011	
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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.								

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	("20100004337").pn.	USPAT	OR	OFF	2011/08/19 12:17
L2	2	("20100004337").pn.	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:17
L3	438855	electrostatic\$	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:19
L4	888662	(dermal\$ skin transdermal\$ nasal\$ intranasal\$)	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:20
L5	676722	(cation\$)	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:21
L6	48443	(biocide\$ polyquaternium\$) (cocodimonium "hydroxypropyl hydrolyzed keratin" "hydroxypropyltrimonium Wheat Protein")	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:24
L7	806023	L5 ("benzalkonium chloride" lysine)	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:25
L8	15900	L3 and L4 and (L5 L7)	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:25
L9	888	L8 and L6	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:25
L10	407700	(infection\$ infecting infects infect)	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:26
L11	381	L9 and L10	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:26
L12	4071	"nasal inhalation" "nasally inhaled"	US- PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2011/08/19 12:27
L13	6	L11 and L12	US- PGPUB;	OR	OFF	2011/08/19

			USPAT; USOCR; DERWENT			12:27
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Search Notes 	Application/Control No. 12467271	Applicant(s)/Patent Under Reexamination WAHI, ASHOK
	Examiner RAYMOND HENLEY III	Art Unit 1629

SEARCHED			
Class	Subclass	Date	Examiner
514	564, 643	8/19/2011	RJH
128	206.11	8/19/2011	RJH

SEARCH NOTES		
Search Notes	Date	Examiner
PALM/EDAN/EAST inventor search	8/19/2011	RJH
EAST (uspat, pgpub, derwent. ocr);notes attached hereto	8/19/2011	RJH

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/467,271	05/16/2009	Ashok Wahi	51900-TRUTEK-009

CONFIRMATION NO. 7676

PUBLICATION NOTICE



OC000000039531144

34325
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

Title:ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

Publication No.US-2010-0004337-A1

Publication Date:01/07/2010

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/467,271	05/16/2009	3771	540	51900-TRUTEK-009	23	3

CONFIRMATION NO. 7676

34325
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

FILING RECEIPT



Date Mailed: 06/05/2009

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

Applicant(s)

Ashok Wahi, Hillsborough, NJ;

Assignment For Published Patent Application

TRUTEK CORP., Hillsborough, NJ

Power of Attorney: The patent practitioners associated with Customer Number 34325

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/085,555 08/01/2008 *

and claims benefit of 61/078,478 07/07/2008

and claims benefit of 61/078,472 07/07/2008

(*)Data provided by applicant is not consistent with PTO records.

Foreign Applications

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 05/28/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/467,271**

Projected Publication Date: 01/07/2010

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

Preliminary Class

128

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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.

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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).

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34325
STANLEY H. KREMEN
4 LENAPE LANE
EAST BRUNSWICK, NJ 08816

CONFIRMATION NO. 7676
POA ACCEPTANCE LETTER



Date Mailed: 06/05/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/16/2009.

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

/gkejela/

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		2009-05-16
	First Named Inventor	Ashok Wahi	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	51900-TRUTEK-009	

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Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	1071015		1913-08-26	Adler, J.	
	2	2237954		1941-04-08	Wilson, W.R.	
	3	2433565		1947-12-30	Korman, A.	
	4	2777442		1957-01-15	Zelano, J.	
	5	3145711		1964-08-25	Beber, A.	
	6	3513839		1970-05-26	Vacante, M.	
	7	4030491		1977-06-21	Mattila, A.	
	8	4052983		1977-10-11	Bovender, C.R.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number			
	Filing Date		2009-05-16	
	First Named Inventor	Ashok Wahi		
	Art Unit			
	Examiner Name			
	Attorney Docket Number	51900-TRUTEK-009		

	9	4267831		1981-05-19	Aguilar, M.	
	10	4401117		1983-08-30	Gershuny, H.	
	11	4789504		1988-12-06	Ohmori, et.al.	
	12	4874659		1989-10-17	Ando, et.al.	
	13	2751906		1953-10-26	Irvine, M.E.	
	14	5468488		1995-11-21	Wahi, A.L.	
	15	5674481		1997-10-07	Wahi, A.L.	
	16	6844005	B2	2005-01-18	Wahi, A.L.	

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	1	20030223934	A1	2003-12-04	Wahi, A.L.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		2009-05-16
	First Named Inventor	Ashok Wahi	
	Art Unit		
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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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

Application Number	
Filing Date	2009-05-16
First Named Inventor	Ashok Wahi
Art Unit	
Examiner Name	
Attorney Docket Number	51900-TRUTEK-009

CERTIFICATION STATEMENT

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

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

OR

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

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

SIGNATURE

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

Signature	/Stanley H. Kremen/	Date (YYYY-MM-DD)	2009-05-16
Name/Print	Stanley H. Kremen	Registration Number	51900

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	
	Filing Date	May 16, 2009
	First Named Inventor	Ashok Wahi
	Title	ELECTROSTATICALLY CHARGED MULTI-ACTING NAS
	Art Unit	
	Examiner Name	
	Attorney Docket Number	51900-TRUTEK-009

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

34325

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

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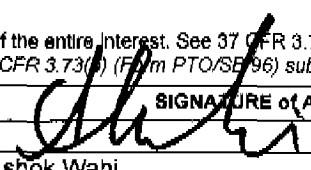
☐ Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(a) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record			
Signature		Date	May 16, 2009
Name	Ashok Wahi	Telephone	(908) 685-1111
Title and Company			

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 1 forms are submitted.

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

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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	
	Filing Date	May 16, 2009
	First Named Inventor	Ashok Wahi
	Title	ELECTROSTATICALLY CHARGED MULTI-ACTING NAS
	Art Unit	
	Examiner Name	
	Attorney Docket Number	51900-TRUTEK-009

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

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

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☐ Firm or Individual Name

Address

City

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Email

I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature

Name

Title and Company

Date

Telephone

May 16, 2009

(908) 685-1111

Ashok Wahi

President, TRUTEK CORP

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 1 forms are submitted.

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1 **ABSTRACT**

2 A product to reduce and method of reducing the risk of inhalation of harmful
3 substances by applying a formulation composition to a substrate or the skin in
4 close proximity of one or more nostrils. This formulation, when applied creates
5 an electrostatic field having a charge. The electrostatic field attracts airborne
6 particulates of opposite charge to the substrate that are in close proximity to the
7 substrate close to the skin and a biocidic agent renders microorganisms coming
8 in contact the substrate or skin less harmful.

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD		
First Named Inventor/Applicant Name:		Ashok Wahi		
Filer:		Stanley H. Kremen		
Attorney Docket Number:		51900-TRUTEK-009		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	82	82
Utility Search Fee	2111	1	270	270
Utility Examination Fee	2311	1	110	110
Pages:				
Claims:				
Claims in excess of 20	2202	3	26	78
Miscellaneous-Filing:				
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				540

Electronic Acknowledgement Receipt

EFS ID:	5347173
Application Number:	12467271
International Application Number:	
Confirmation Number:	7676
Title of Invention:	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD
First Named Inventor/Applicant Name:	Ashok Wahi
Customer Number:	34325
Filer:	Stanley H. Kremen
Filer Authorized By:	
Attorney Docket Number:	51900-TRUTEK-009
Receipt Date:	16-MAY-2009
Filing Date:	
Time Stamp:	17:17:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 540
RAM confirmation Number	5717
Deposit Account	
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part (.zip, if appl.)	Pages (if appl.)

1	Specification	SPECIFICATION.pdf	369426	no	20
			9ffe7a9214d2f6a8a7db58b6fff586af9873a6e5		
Warnings:					
Information:					
2	Claims	CLAIMS.pdf	62159	no	4
			c139d7b4dd4393111846a37ed2f87b4babde928e		
Warnings:					
Information:					
3	Oath or Declaration filed	DECLARATION.pdf	147739	no	3
			7de341242075f8088961c6d26e4fdb7557da68b6		
Warnings:					
Information:					
4	Application Data Sheet	sb0014_fill.pdf	839148	no	4
			4f051f1388307e8f4cec2fefbe97965e5a01e38e		
Warnings:					
Information:					
5	Information Disclosure Statement (IDS) Filed (SB/08)	US_IDS_Form__SB_08a.pdf	610485	no	5
			2bcd558d82ca165fb6f5b358382a6f5cc6503201		
Warnings:					
Information:					
6	Power of Attorney	POA-Wahi.pdf	49242	no	1
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Warnings:					
Information:					
7	Power of Attorney	POA-TRUTEK.pdf	51141	no	1
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Warnings:					
Information:					
8	Abstract	ABSTRACT.pdf	59393	no	1
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Warnings:					
Information:					
9	Fee Worksheet (PTO-875)	fee-info.pdf	36678	no	2
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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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**Application for Letters Patent
in the United States**

Inventor:

ASHOK WAHI

Title of Invention:

ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION,
PRODUCT, AND METHOD

To All Whom It May Concern:

*The following is a specification of the
aforesaid Invention:-*

1 **TITLE OF INVENTION**

2 ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION,
3 PRODUCT, AND METHOD

4 **CROSS REFERENCE TO RELATED APPLICATIONS**

5 a) The Present Application is the non-provisional counterpart of my pending US
6 Provisional Patent Application Serial No. 61/085,555 (the '555 Application)
7 filed on August 3, 2008 which is incorporated by reference in its entirety
8 herein. The Present Application claims the benefit of and priority to said '555
9 Application.

10 b) The Present Application is also the non-provisional counterpart of my pending
11 US Provisional Patent Application Serial No. 61/078,478 (the '478 Application)
12 filed on July 7, 2008 which is incorporated by reference in its entirety herein.
13 The Present Application claims the benefit of and priority to said '478
14 Application.

15 c) The Present Application is likewise related to my prior US Provisional Patent
16 Application Serial No. 60/570,103 (the '103 Application) filed on May 12, 2004
17 (now expired), and which is incorporated by reference in its entirety herein.
18 The '478 Application provides a virtually identical disclosure to the '103
19 Application.

20 d) Furthermore, the Present Application is related to my pending US Provisional
21 Application Serial No. 61/078,472 filed on July 7, 2008, which is incorporated
22 by reference in its entirety herein.

23 e) The Present Application is also related to my prior US Provisional Patent
24 Application Serial No. 60/598,462 filed on August 3, 2004 (now expired), and
25 which is incorporated by reference in its entirety herein.

26 f) The Present Application is additionally related to my US Patent Serial No.
27 5,468,488, entitled "ELECTROSTATICALLY CHARGED NASAL
28 APPLICATION RPRODUCT AND MEHTOD" issued on November 21, 1995.
29 This patent is incorporated by reference in its entirety herein.

30 g) The Present Application is further related to my US Patent Serial No.
31 5,674,481, entitled "ELECTROSTATICALLY CHARGED NASAL TOPICAL

1 APPLICATION PRODUCT” issued on October 7, 1997. This patent is
2 incorporated by reference in its entirety herein.

3 h) The Present Application is moreover related to my US Patent Serial No.
4 6,844,005 entitled “ELECTROSTATICALLY CHARGED NASAL
5 APPLICATION PRODUCT WITH INCREASED STRENGTH” issued on
6 January 18, 2005. This patent is incorporated by reference in its entirety
7 herein.

8 i) Finally, this application is furthermore related to US Non-Provisional Utility
9 Patent Application, Serial No. 10/082,978 entitled “ELECTROSTATICALLY
10 CHARGED NASAL APPLICATION PRODUCT WITH INCREASED
11 STRENGTH” filed on February 25, 2002. This patent application is
12 incorporated by reference in its entirety herein.

13 **FIELD OF THE INVENTION**

14 The Present Invention relates to the field of protective compositions
15 against assault by various irritants and noxious substances as well as against
16 assault by assorted microorganisms that typically gain entry into the body
17 through the airway and/or nasal mucosa. The Present Invention also relates to
18 anti-viral, anti-bacterial, and anti-microbial products and methods that involve the
19 use of products heretofore developed for restricting the flow of airborne
20 contaminants into the nasal passages by creating an electrostatic field in an area
21 near about the nasal passages. This reduced the inflow of airborne contaminants
22 to the nasal passages by capturing the contaminants and keeping them from
23 entering the body. In the present invention, these electrostatically charged nasal
24 application products capture and hold the contaminants including viruses,
25 bacteria, and other harmful microorganisms or toxic particulates, inactivate them
26 dermally outside the body and render them harmless.

27 **BACKGROUND OF THE INVENTION**

28 The nasal passages and nasal mucosa serve as body entry points for a
29 wide variety of noxious and toxic substances. The body’s immune system
30 responds with certain relatively harmless irritants to the nasal passages and
31 airways with reflex responses such as coughing and sneezing. This merely re-

1 introduces the irritants into the environment. However, when the irritant
2 comprises microorganisms, especially those that reproduce within the body and
3 that are transmitted by coughing and sneezing, others may become infected.
4 When a person feels a cough or a sneeze coming on, he merely covers his nose
5 and mouth. However, if that person is contagious, this action does little to
6 prevent others from also becoming infected. Furthermore, the use of a tissue or
7 handkerchief for this purpose is extremely inefficient. This limits the protection of
8 an individual from becoming infected or infecting others.

9 Other means of dealing with preventing inhalation of harmful or irritating
10 substances or of infections agents include wearing facemasks to filter out these
11 irritants. An example of this is the simple dust mask, typically found in the
12 hardware store or medical supply store. However, even these are inadequate
13 and inefficient. In many localities, during flu season, one can see a large number
14 of people wearing these dust masks in public places. The dust masks are now
15 known to be ineffective. Another example of this preventative method is the gas
16 mask, which is more efficient than the dust mask. Yet, even gas masks are not
17 highly efficient with respect to microscopic and sub-microscopic microorganisms.
18 Furthermore, they are extremely cumbersome and cannot generally be used
19 during normal day-to-day activities.

20 Patents such as US 6,844,005 describe electrostatically charged
21 compositions that may be applied externally in the vicinity of the nostril and
22 attract oppositely charged materials that would otherwise be inhaled. However,
23 those compositions simply create an electrostatic field that helps to filter out
24 oppositely charged materials. While this action may offer suitable protection
25 against particles that are inhaled passively, they suffer from the fact that they
26 cannot completely deal with particulates that have their own internal means of
27 overcoming the electrostatic forces, such as microorganisms that are motile
28 within the air stream. Furthermore, actions by the person having those
29 electrostatic compositions in the vicinity of the nostrils can sufficiently displace
30 the offending particles or organisms, especially in such instances as blowing or

1 wiping the nose, so that particles that were held captive by the former
2 compositions could become dislodged, again set free, and be inhaled.

3 **OBJECTS OF THE INVENTION**

- 4 • It is therefore an object of the invention to provide a composition that can be
5 readily applied to the exterior region around the nostril and/or slightly inside
6 the edge of the nostril or near the vicinity of the source of release with method
7 and compositions capable of capturing particulates and microorganisms.
- 8 • It is another object of the invention to have the capability to hold it for a
9 duration from being dislodged in to the air stream again.
- 10 • It is a further object of the invention to provide a composition that can be
11 applied near the vicinity of the source of release or to the area around the
12 exterior of and/or slightly inside the edge of the nostril that will inactivate, kill,
13 or render harmless a microorganism, which has been captured and held by
14 the composition.
- 15 • It is yet another object of the invention to provide a composition that can be
16 applied to a filter substrate for improving the substrates ability to trap and hold
17 particulates and microorganisms and to simultaneously inactivate, kill, or
18 render harmless the microorganisms so trapped. Such filter substrate could
19 be placed in the close proximity of the skin near the path of inhalation, near
20 the source of release of such particulates while the inhaler is at a distance or
21 both.
- 22 • It is still another object of the invention to provide a method of prophylactically
23 preventing or of substantially reducing the risk of infection by an infectious
24 agent without the utilization of ingested antiviral and/or antibacterial agents.
- 25 • Yet other objects of the invention will be apparent to those of ordinary skill
26 once having benefit of the instant disclosure. In all of the foregoing objects,
27 the deficiencies of the previously mentioned prior art are overcome by the
28 teachings of this invention.

1 **SUMMARY OF THE INVENTION**

2 These and other objects of the invention are unexpectedly achieved by an
3 electrostatically charged composition having at least one polymeric quaternary
4 compound in an aqueous or non-aqueous based formulation, which when applied
5 to a surface, creates an electrostatic field such that oppositely charged airborne
6 particulates (including microorganisms) in the vicinity of the surface are
7 electrostatically trapped, held thereto and one or more of the microorganisms so
8 captured is neutralized, killed, inactivated, and rendered harmless.

9 **DETAILED DESCRIPTION OF THE INVENTION**

10 The present invention relates to anti-microorganism, anti-viral/anti-
11 bacterial products and methods that involve the use of products that restrict the
12 flow of airborne contaminants into the nasal passages by creating an
13 electrostatic field in an area near about the nasal passages. Additionally, in the
14 present invention, these electrostatically charged nasal application products are
15 used to hold the contaminants including microorganisms, viruses, bacteria, and
16 other harmful or toxic particulate outside the body and render them harmless.

17 Emergences of Anthrax lead to the concept of avoidance of inhaling
18 airborne microscopic and sub-microscopic contaminants. It is the intention of the
19 Present Invention to filter and render harmless materials such as anthrax spores,
20 human corona virus, smallpox virus, influenza virus, avian flu virus, swine flu
21 virus, rhino virus, and other biological or chemical elements/toxins/irritants, and
22 the like, prior to their entering the nasal passages.

23 Airborne microorganisms are a major cause of respiratory ailments in
24 humans, causing allergies, asthma, and pathogenic infections of the respiratory
25 tract. Airborne fungal spores are also important agents that spread diseases.
26 Respiratory diseases cause many fatalities and are a cause of great concern.
27 During a sneeze, millions of tiny droplets of water and mucus are expelled at a
28 high velocity. The droplets contain viral particles and/or bacteria. This is a
29 means of transmission of several diseases by inhaled airborne particles as
30 follows:

VIRAL DISEASES (virus type in brackets)	BACTERIAL DISEASES (bacterial name in brackets)
Chickenpox (Varicella)	Whooping cough (<i>Bordetella pertussis</i>)
Flu (Influenza)	Meningitis (<i>Neisseria</i> species)
Measles (Rubeola)	Diphtheria (<i>Corynebacterium diphtheriae</i>)
German measles (Rubella)	Pneumonia (<i>Mycoplasma pneumoniae</i> , <i>Streptococcus</i> species)
Mumps (Mumps)	Tuberculosis (<i>Mycobacterium tuberculosis</i>)
Smallpox (Variola)	
SARS (Human Corona)	Anthrax (Anthraxis bacterium)

Diseases caused by environmental particulates include, but are not limited to the following:

ENVIRONMENTAL PARTICULATE DISEASES	SOURCE
Psittacosis (<i>Chlamydia psittaci</i>)	Dried, powdery droppings from infected birds (parrots, pigeons, etc.)
Legionnaire's disease (<i>Legionella pneumophila</i>)	Droplets from air-conditioning systems, water storage tanks, etc., where the bacterium grows.
Acute allergic alveolitis (various fungal and actinomycete spores)	Fungal or actinomycete spores from decomposing organic matter (composts, grain stores, hay, etc.)
Aspergillosis (<i>Aspergillus fumigatus</i> , <i>A. flavus</i> , <i>A. niger</i>)	Fungal spores inhaled from decomposing organic matter.
Histoplasmosis (<i>Histoplasma capsulatum</i>)	Spores of the fungus, in old, weathered bat or bird droppings.
Coccidioidomycosis (<i>Coccidioides immitis</i>)	Spores in air-blown dust in desert regions (Central, South and North America) where the fungus grows in the soil.

4 To accomplish the present invention, a formulation having at least one
5 polyquaternary ammonium compound is prepared, such compounds, alone or
6 together capable of creating an electrostatic field on and around a surface to

1 which it is applied, including surfaces such as skin, textile (woven and non-
2 woven), and hard surfaces, such as floors, walls, wood, metal, plastic, etc. The
3 formulation is generally aqueous based, but may include non-aqueous solvents
4 used which are compatible with the other formulation components and the
5 application surface to which it is applied. Preferably, the formulation is an
6 aqueous formulation. In addition to the polyquaternary ammonium compound,
7 the composition includes at least. Furthermore, the composition may contain, but
8 is not required to contain various thickeners, gellants, fragrances, colorants,
9 emollients, humectants, and generally other suitable components that are
10 compatible with the end use application and the other components of the
11 formulations. Thus, a composition of the invention that is intended to be applied
12 to a filter substrate that is perhaps used as a mask with an additional liner
13 between a user and the filter substrate may utilize materials that would not be
14 compatible with direct contact with skin, although it is preferable that all of the
15 components are compatible with direct application to the skin as a means of
16 limiting reaction due to inadvertent contact between the composition and the
17 skin.

18 A formulation of the invention comprises:

- 19 • water,
- 20 • at least one quaternary thickener,
- 21 • a preservative,
- 22 • a conditioner,
- 23 • an emulsifier,
- 24 • a biocidal agent, and
- 25 • a neutralizing agent added to adjust and achieve a pH in the range of 5.0
26 to 6.8.

27 It may further comprise without limitation a combination of the following:

- 28 • a surfactant,
- 29 • a thickener,
- 30 • an emollient,
- 31 • a humectant, and

- a binder.

In an exemplary embodiment of such a formulation, a quaternary thickener may comprise without limitation, at least one of the following:

- Polyquaternium – 10
- Polyquaternium – 22
- Polyquaternium – 67
- Polyquaternium – 70
- Polyquaternium – 72
- Polyquaternium – 88
- Cocodimonium Hydroxypropyl Hydrolyzed Keratin
- Hydroxypropyltrimonium Wheat Protein

Benzalkonium Chloride may also serve the same function, but it is also a cationic agent as well as a biocide. Another biocide that may be used is Lysine HCL.

In an exemplary embodiment of such a formulation, an emulsifier may comprise without limitation, at least one of the following:

- Cetyl Alcohol (which can also serve as a thickener)
- Cetearyl Alcohol
- Glyceryl Stearate
- Cetearth -20
- PEG – 40 Stearate
- Dicetyl Phosphate
- Ceteth – 10 Phosphate

In an exemplary embodiment of such a formulation, the emollient may be Isocetyl Behenate without limitation. The thickener may be Cetyl Alcohol or Stearyl Alcohol without limitation.

In an exemplary embodiment of such a formulation, a preservative may comprise without limitation, at least one of the following:

- Phenoxyethanol;
- Methylparaben;

- 1 • Butylparaben;
- 2 • Ethylparaben;
- 3 • Propylparaben;
- 4 • Isobutylparaben.

5 Examples of typical formulations found to be effective appear in the ten
6 tables that follow. Percentages are given by weight.

7 **TABLE 1**

8

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	62% - 80%	Solvent, Moisturizer
Gluconolactone, Sodium Benzoate	1%	Preservative
Lysine HCL	1%	Conditioner
Polyquaternium - 67	3% - 6%	Conditioner
Octoxynol - 9	2% - 5%	Surfactant
Polyquaternium - 72	6% - 10%	Conditioner
Polyquaternium - 70 Dipropylene Glycol	0.5% - 1%	Conditioner
Isocetyl Behenate	4% - 6%	Emollient
Stearyl Alcohol	1% - 3%	Thickener
Cetyl Alcohol	0.25% - 1%	Thickener
Ceteareth -20, PEG - 40 Stearate, Cetearyl Alcohol	1% - 2%	Emulsifier
Water, Hydrolyzed Algin	0.5% - 1.5%	Conditioner
Hydrolized Soy Protein	0.25% - 1%	Conditioner

1
2

TABLE 2

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	72% - 88%	Solvent, Moisturizer
Phenoxyethanol Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Polyquaternium - 67	3% - 6%	Conditioner, Quaternary
Nonoxynol - 10	2% - 4%	Surfactant
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	0.5% - 2%	Conditioner, Quaternary
Polyquaternium - 72	0.5% - 2%	Conditioner, Quaternary
Polyquaternium - 88	1% - 4%	Conditioner, Quaternary
Cetearyl Alcohol, Glyceryl Stearate Emulsifier, PEG - 40 Stearate, Ceteareth - 20	1% - 4%	Emulsifier
Cetearyl Alcohol, Dicetyl Phosphate, Ceteth - 10 Phosphate	0.5%	Emulsifier
Benzalkonium Chloride	0.25% - 1%	Cationic, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	0.01% - 0.05%	Neutralizing Agent

1
2

TABLE 3

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	67% - 87%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Polyquaternium - 67	3% - 7%	Conditioner, Quaternary
Polyquaternium - 72	3% - 7%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolized Keratin	1% - 4%	Conditioner, Quaternary
Polyquaternium - 88	1% - 4%	Conditioner, Quaternary
Cetyl Alcohol	1.5% - 2.5%	Thickener
Cetearyl Alcohol, Glyceryl PEG - 40 Stearate, Ceteareth - 20	1% - 4%	Emulsifier
Benzalkonium Chloride	0.25% - 1%	Cationic, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	.025% - .075%	Neutralizing Agent

1
2

TABLE 4

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	71% - 83%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Polyquaternium - 67	4% - 6%	Conditioner, Quaternary
Polyquaternium - 72	4% - 6%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	2% - 4%	Conditioner, Quaternary
Polyquaternum - 88	1% - 3%	Conditioner, Quaternary
Cetyl Alcohol	2%	Thickener
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	1% - 3.5%	Emulsifier
Benzalkonium Chloride	0.25% - 1%	Cationic, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	.025% - .075%	Neutralizing Agent

1
2

TABLE 5

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	73% - 85%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Polyquaternium - 67	2% - 3%	Conditioner, Quaternary
Polyquaternium - 72	4% - 6%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	2% - 4%	Conditioner, Quaternary
Polyquaternium - 88	1% - 3%	Conditioner, Quaternary
Cetyl Alcohol	2%	Thickener
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	1% - 3%	Emulsifier
Benzalkonium Chloride	0.25% - 1%	Cationic, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	0.05% - 0.75%	Neutralizing Agent

1
2

TABLE 6

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	69% - 85%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben,	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Polyquaternium - 10	0.25% - 0.85%	Conditioner, Quaternary
Polyquaternium - 67	1.5% - 3.5%	Conditioner, Quaternary
Polyquaternium - 72	4% - 6%	Conditioner, Quaternary
Cetyl Alcohol	1% - 3%	Thickener
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	2% - 4%	Conditioner, Quaternary
Polyquaternium - 88	1% - 3%	Conditioner, Quaternary
Polyquaternium - 22	1% - 3%	Conditioner, Quaternary
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	1% - 3%	Emulsifier
Benzalkonium Chloride	0.25% - 1%	Conditioner, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	0.05% - 0.75%	Neutralizing Agent

1
2

TABLE 7

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	67% - 86%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Polyquaternium - 10	1% - 4%	Conditioner, Quaternary
Polyquaternium - 67	1% - 4%	Conditioner, Quaternary
Polyquaternium - 72	0.5% - 1.5%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolized Keratin	0.5% - 1.5%	Conditioner, Quaternary
Microcare Quat CTC 30	1% - 3%	Conditioner, Quaternary
Polyquaternium - 88	1% - 3%	Conditioner, Quaternary
Polyquaternium - 22	1% - 3%	Conditioner, Quaternary
Cetyl Alcohol	3% - 5%	Thickener
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	2% - 3%	Emulsifier
Benzalkonium Chloride	0.25% - 1%	Conditioner, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	0.05% - 0.1%	Neutralizing Agent

1
2

TABLE 8

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	58% - 74%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Glycerin	10%	Humectant
Glyceryl Acetate/Acrylic Acid Copolymer	1%	Conditioner, Humectant
Polyquaternium - 10	1% - 4%	Conditioner, Quaternary
Polyquaternium - 67	1% - 3%	Conditioner, Quaternary
Polyquaternium - 72	0.5% - 1.5%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	0.5% - 1.5%	Conditioner, Quaternary
Cetrimonium Chloride	1% - 3%	Conditioner, Quaternary
Polyquaternium - 88	1% - 3%	Conditioner, Quaternary
Polyquaternium - 22	1% - 3%	Conditioner, Quaternary
Cetyl Alcohol	4%	Thickener
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	2% - 3%	Emulsifier
Polybutene	4%	Binder
Benzalkonium Chloride	0.25% - 1%	Conditioner, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	.005% - 0.1%	Neutralizing Agent

1
2

TABLE 9

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	54% - 73%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Glycerin	8%	Humectant
Glyceryl Acetate/Acrylic Acid Copolymer	1%	Conditioner, Humectant
Polyquaternium - 10	1% - 4%	Conditioner, Quaternary
Polyquaternium - 67	1% - 4%	Conditioner, Quaternary
Polyquaternium - 72	0.5% - 2%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	0.5% - 2%	Conditioner, Quaternary
Cetrimonium Chloride	1% - 3%	Conditioner, Quaternary
Polyquaternium - 88	1% - 3%	Conditioner, Quaternary
Polyquaternium - 22	1% - 3%	Conditioner, Quaternary
Cetyl Alcohol	4%	Thickener
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	2% - 3%	Emulsifier
Polybutene	3% - 4%	Binder
Benzalkonium Chloride	0.25% - 1%	Conditioner, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	0.05% - 0.1%	Neutralizing Agent

TABLE 10

<u>Ingredient</u>	<u>Percent Range</u>	<u>Function</u>
Water	52% - 71%	Solvent, Moisturizer
Phenoxyethanol, Methylparaben, Propylparaben, Butylparaben, Ethylparaben, Isobutylparaben	1%	Preservative
Lysine HCL	1%	Conditioner, Biocide
Glycerin	9%	Humectant
Glyceryl Acetate/Acrylic Acid Copolymer	1%	Conditioner, Humectant
Polyquaternium - 10	1% - 3.5%	Conditioner, Quaternary
Polyquaternium - 67	1% - 3%	Conditioner, Quaternary
Polyquaternium - 72	0.5% - 2%	Conditioner, Quaternary
Cocodimonium Hydroxypropyl Hydrolyzed Keratin	0.5% - 2%	Conditioner, Quaternary
Cetrimonium Chloride	1% - 3%	Conditioner, Quaternary
Polyquaternium - 88	1% - 3%	Conditioner, Quaternary
Polyquaternium - 22	1% - 3%	Conditioner, Quaternary
Cetyl Alcohol	4%	Thickener
Cetearyl Alcohol, Glyceryl Stearate, PEG - 40 Stearate, Ceteareth - 20	1% - 4%	Emulsifier
Polybutene	5% - 6%	Binder
Benzalkonium Chloride	0.25% - 1%	Conditioner, Quaternary, Biocide
Hydroxypropyltrimonium Wheat Protein	1%	Conditioner, Quaternary
Sodium Hydroxide	0.05% - 0.1%	Neutralizing Agent

All of the formulations described in TABLE 1-10 representing various embodiments of the Present Invention operate in the manner that was disclosed herein. The same results may be achieved by varying the percentages for the active and inactive ingredients. Varying the percentages for the active ingredients affects the potency of the formulation. Varying the percentages for the inactive ingredients affects the consistency of the formulation. The desired

- 1 results may be achieved by varying the ingredients and their amounts by those
- 2 skilled in the art without undue experimentation.

CLAIMS

I claim:

1. A method for electrostatically preventing harmful particulate matter from infecting an individual through nasal inhalation wherein a formulation is applied to skin or tissue of nasal passages of the individual in a thin film, said method comprising:
 - a) electrostatically attracting the particulate matter to the thin film;
 - b) holding the particulate matter in place by adjusting the adhesion of the thin film to permit said thin film to stick to the skin or tissue and by adjusting the cohesion of the formulation to provide adequate impermeability to the thin film; and,
 - c) inactivating the particulate matter by adding at least one ingredient that would render said particulate matter harmless.
2. A formulation for electrostatically preventing harmful particulate matter from infecting an individual through nasal inhalation wherein the formulation is applied to skin or tissue of nasal passages of the individual in a thin film, said formulation comprising at least one cationic agent and at least one biocidic agent, and wherein said formulation, once applied:
 - a) electrostatically attracts the particulate matter to the thin film;
 - b) holds the particulate matter in place by adjusting the adhesion of the thin film to permit said thin film to stick to the skin or tissue and by adjusting the cohesion of the formulation to provide adequate impermeability to the thin film; and,
 - c) inactivates the particulate matter and renders said particulate matter harmless.
3. The formulation of claim 2 wherein the at least one cationic agent is a polymeric quaternary ammonium compound.
4. The formulation of claim 3 wherein the at least one polymeric quaternary ammonium compound is taken from the group consisting of:
 - Polyquaternium - 10,
 - Polyquaternium - 22,

- Polyquaternium - 67,
 - Polyquaternium - 70,
 - Polyquaternium - 72, and
 - Polyquaternium - 88.
5. The formulation of claim 2 wherein the at least one cationic agent is Cocodimonium Hydroxypropyl Hydrolyzed Keratin or Hydroxypropyltrimonium Wheat Protein.
 6. The formulation of claim 2 wherein the at least one cationic agent is Benzalkonium Chloride.
 7. The formulation of claim 2 wherein the at least one biocidic agent is Benzalkonium Chloride or Lysine HCL.
 8. A formulation for electrostatically preventing harmful particulate matter from infecting an individual through nasal inhalation wherein the formulation is applied to skin or tissue of nasal passages of the individual in a thin film, said formulation comprising:
 - a) at least one biocidic agent, and
 - b) at least one quaternary thickener.
 9. The formulation of claim 8 wherein the at least one biocidic agent is Benzalkonium Chloride or Lysine HCL.
 10. The formulation of claim 8 wherein the at least one quaternary thickener is taken from the group consisting of:
 - Polyquaternium - 10,
 - Polyquaternium - 22,
 - Polyquaternium - 67,
 - Polyquaternium - 70,
 - Polyquaternium - 72, and
 - Polyquaternium - 88.
 11. The formulation of claim 8 wherein the at least one cationic agent is Cocodimonium Hydroxypropyl Hydrolyzed Keratin or Hydroxypropyltrimonium Wheat Protein.

12. The formulation of claim 8 wherein the at least one cationic agent is Benzalkonium Chloride.
13. The formulation of claim 8 further comprising:
 - a) water,
 - b) a preservative,
 - c) a conditioner, and
 - d) an emulsifier.
14. The formulation of claim 13 further comprising a neutralizing agent added to adjust a pH in the range of 5.0 to 6.8.
15. The formulation of claim 13 further comprising a surfactant.
16. The formulation of claim 13 further comprising a thickener.
17. The formulation of claim 13 further comprising an emollient.
18. The formulation of claim 13 further comprising a humectant.
19. The formulation of claim 13 further comprising a binder.
20. The formulation of claim 13 wherein the preservative is taken from the group consisting of:
 - Phenoxyethanol,
 - Methylparaben,
 - Butylparaben,
 - Ethylparaben, and
 - Isobutylparaben.
21. The formulation of claim 13 wherein the emulsifier is taken from the group consisting of:
 - Cetyl Alcohol,
 - Cetearyl Alcohol,
 - Glyceryl Stearate,
 - Ceteareth - 20,
 - PEG - 40 Stearate,
 - Dicetyl Phosphate,
 - Ceteth - 10 Phosphate.

22. The formulation of claim 16 wherein the thickener is Cetyl Alcohol or Stearyl Alcohol.
23. The formulation of claim 13 wherein:
 - a) the amount of water ranges from 54% to 90% by weight
 - b) the amount of the quaternary thickener ranges from 0.5% to 5.0% by weight.
 - c) the amount of biocidic agent ranges from 0.25% to 2% by weight.
 - d) the amount of emulsifier ranges from 0.5% to 4% by weight.

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	51900-TRUTEK-009
	First Named Inventor	Ashok Wahi
	COMPLETE IF KNOWN	
	Application Number	
	Filing Date	May 16, 2009
	Art Unit	
☒ Declaration Submitted With Initial Filing	OR	☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(f)) required)
		Examiner Name

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD

(Title of the Invention)

the application of which

☒ is attached hereto
OR

☐ was filed on (MM/DD/YYYY) _____ as United States Application Number or PCT International

Application Number _____ and was amended on (MM/DD/YYYY) _____ (if applicable).

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

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Authorization To Permit Access To Application by Participating Offices

☒ If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified application is filed to have access to the application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the application-as-filed with respect to: 1) the above-identified application, 2) any foreign application to which the above-identified application claims priority under 35 USC 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified US application, and 3) any U.S. application from which benefit is sought in the above-identified application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

[Page 1 of 3]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 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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DECLARATION — Utility or Design Patent Application**Claim of Foreign Priority Benefits**

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

DECLARATION – Utility or Design Patent Application

Direct all correspondence to:	☒	The address associated with Customer Number:	34325	OR	☐	Correspondence address below
Name						
Address						
City State					Zip	
Country		Telephone		Email		
WARNING:						
Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. Petitioner/applicant is advised that documents which form the record of a patent application (such as the PTO/SB/01) are placed into the Privacy Act system of records DEPARTMENT OF COMMERCE, COMMERCE-PAT-7, System name: <i>Patent Application Files</i>. Documents not retained in an application file (such as the PTO-2038) are placed into the Privacy Act system of COMMERCE/PAT-TM-10, System name: <i>Deposit Accounts and Electronic Funds Transfer Profiles</i>. 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 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SOLE OR FIRST INVENTOR:						
Given Name (first and middle (if any))			Family Name or Surname			
Ashok			Wahi			
Inventor's Signature			Date			
						
Residence: City		State		Country		Citizenship
Hillsborough		NJ		US		US
Mailing Address						
26 Polhemus Drive						
City		State		Zip		Country
Hillsborough		NJ		08844		US
☐ Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.						

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	51900-TRUTEK-009
		Application Number	
Title of Invention	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2

☐	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
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Applicant Information:

Applicant 1					Remove
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	☐ Party of Interest under 35 U.S.C. 118
Prefix	Given Name	Middle Name	Family Name	Suffix	
Mr.	Ashok		Wahi		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Hillsborough	State/Province	NJ	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1		26 Polhemus Drive			
Address 2					
City	Hillsborough	State/Province	NJ		
Postal Code	08844	Country i	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					
Add					

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
☐ An Address is being provided for the correspondence information of this application.			
Customer Number	34325		
Email Address	shk@shk-dplc.com	Add Email	Remove Email

Application Information:

Title of the Invention	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD		
Attorney Docket Number	51900-TRUTEK-009	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	0	Suggested Figure for Publication (if any)	N.A.

SALVACION: IPR2024-00711
EXHIBIT 1004 PAGE 000090

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	51900-TRUTEK-009
	Application Number	
Title of Invention ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD		

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	34325		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.			
Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61085555	2008-08-03
Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61078478	2008-07-07
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			Add

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).			
Remove			
Application Number	Country ⁱ	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			☐ Yes ☐ No
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			Add

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	51900-TRUTEK-009
		Application Number	
Title of Invention	ELECTROSTATICALLY CHARGED MULTI-ACTING NASAL APPLICATION, PRODUCT, AND METHOD		

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.			
Assignee 1			Remove
If the Assignee is an Organization check here. ☒			
Organization Name	TRUTEK CORP.		
Mailing Address Information:			
Address 1	26 Polhemus Drive		
Address 2			
City	Hillsborough	State/Province	NJ
Country ⁱ	US	Postal Code	08844
Phone Number	(908) 685-1111	Fax Number	(908) 685-1110
Email Address	awahi@nasalguard.com		
Additional Assignee Data may be generated within this form by selecting the Add button.			Add

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/Stanley H. Kremen/		Date (YYYY-MM-DD)	2009-05-16	
First Name	Stanley	Last Name	Kremen	Registration Number	51900

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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

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

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

Filing Date: 05/16/09

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 12/467,271			
APPLICATION AS FILED – PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OR	OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)		RATE (\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	82		N/A		
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A		N/A	270		N/A		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	110		N/A		
TOTAL CLAIMS (37 CFR 1.16(i))	23	minus 20 =		x\$26	78	OR	x\$52		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 =		x\$110			x\$220		
APPLICATION SIZE FEE (37 CFR 1.16(s))				If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$270 (\$135 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))				195			390		
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	540		TOTAL		
APPLICATION AS AMENDED – PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	OR	OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDI-TIONAL FEE (\$)		RATE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=		OR	X =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		OR	X =	
	Application Size Fee (37 CFR 1.16(s))						OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A
						TOTAL ADD'T FEE		OR	TOTAL ADD'T FEE
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR	OTHER THAN SMALL ENTITY
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDI-TIONAL FEE (\$)		RATE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=		OR	X =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		OR	X =	
	Application Size Fee (37 CFR 1.16(s))						OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A
						TOTAL ADD'T FEE		OR	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.

SALVACION: IPR2024-00711
EXHIBIT 1004 PAGE 000094