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By: Jane Fallgren

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William Kokonaski et al.

Application No.: Continuation Application of USSN
12/834,526, filed 7-12-2010

Filed: December 24, 2012

For: ELECTRONIC EYEGLASS FRAME

Customer No.: 72162

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Technology Center/Art Unit: 2872

PRELIMINARY AMENDMENT

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

Commissioner:

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

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this
paper.

Remarks/Arguments begin on page 7 of this paper.

Amendments to the Specification:

Please replace paragraph 1 with the following amended paragraph:

This application is a continuation of US Application No. 12/834,526 filed July 12, 2010, which is a continuation of U.S. Application No. 12/054,299 filed March 24, 2008, now abandoned, which claims the benefit of U.S. Provisional Application No. 60/796,876 filed on May 3, 2006 and entitled, "Spectacle Frame Bridge Housing Electronics For Electro-active Spectacle Lenses" (now U.S. Serial No. 11/797,210), U.S. Provisional Application No. 60/924,225 filed on May 4, 2007 and entitled, "Advanced Electro-Active Spectacles, U.S. Provisional Application No. 60/929,419 filed on June 26, 2007 entitled, "Electronic Eyeglass Frames and Integration Thereof", and U.S. Provisional Applications No. 60/854,697 and 60/854,677 respectively entitled, "Advanced Electronic Eyewear" and "Universal Temple End Piece For Spectacles" both of which were filed on October 27, 2006 (now together as Serial No. 11/976,199), U.S. Provisional Application No. 60/929,991, filed on July 20, 2007 and entitled, "Electrical Connectivity Between Electro-Active Spectacles and Frames", and U.S. Provisional Application No. 60/978,517, filed on October 9, 2007 and entitled, "Spectacle Frame with Universal Integrated Electronics", all of which are incorporated in their entirety herein by reference.

Amendments to the Claims:

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

Listing of Claims:

1-12. (Canceled)

13. (New) Eyewear comprising:

a frame; and

a sealed moisture resistant module attached to the frame, wherein the module comprises within the seal any two of: a switch, a detector, a processor, a power source, a drive circuit, a transmitter, a receiver, a transceiver, and a sensor.

14. (New) The eyewear of claim 13, wherein the module includes an electrical connector configured to connect the any two of switch, detector, processor, power source, drive circuit, transmitter, receiver, transceiver, and sensor with an external device.

15. (New) The eyewear of claim 14, wherein the module is electrically connected to the external device by a flex circuit.

16. (New) The eyewear of claim 14, wherein the external device includes an electro-active lens mounted to the frame.

17. (New) The eyewear of claim 16, wherein the electro-active lenses are configured to change at least one of focus, tint, and a display.

18. (New) The eyewear of claim 13, wherein the frame comprises a first temple and a second temple, and wherein the module is disposed within the first temple.

19. (New) The eyewear of claim 13, wherein the module includes each of drive circuit, a sensor, and a power source.

20. (New) The eyewear of claim 13, wherein the module includes an antenna and at least one of a transmitter, a receiver or a transceiver.

21. (New) The eyewear of claim 13, wherein the module includes a sensor, and wherein the sensor comprises a manual switch.

22. (New) The eyewear of claim 13, wherein the module is removably attached to the frame.

23. (New) The eyewear of claim 13, wherein the module is affixed directly to the frame.

24. (New) The eyewear of claim 13, wherein the module is included in a rimless frame.

25. (New) The eyewear of claim 13, wherein the module is included in a hinge-less frame.

26. (New) The eyewear of claim 13, wherein the module is disposed, at least partially, on a portion of the frame configured to be behind the ear of a wearer of the eyewear.

27. (New) The eyewear of claim 13, wherein the module is disposed, at least partially, on a temple portion of the frame.

28. (New) The eyewear of claim 13, wherein the module is hermetically sealed.

29. (New) The eyewear of claim 13, wherein the module is substantially water-proof.

30. (New) The eyewear of claim 13, wherein the module is water-proof.

31. (New) The eyewear of claim 13, wherein the module is substantially wear resistant.

32. (New) The eyewear of claim 13, wherein the module includes a power source, and wherein the power source comprises an inductively rechargeable battery.

33. (New) The eyewear of claim 13, wherein the module includes electronic components configured to enable an electronic display.

34. (New) A method of changing electro-active eyeglasses comprising:
providing a frame;
providing a sealed moisture resistant module attached to the frame;
providing an electro-active lens mounted to the frame, the electro-active lens capable of changing upon receipt of an electronic signal; and
sending an electronic signal to the electro-active lenses from the sealed moisture resistant module,

wherein the module comprises within the seal any two of: a switch, a detector, a processor, a power source, a drive circuit, a transmitter, a receiver, a transceiver, and a sensor.

35. (New) The method of claim 34, wherein the electro-active lens changes at least one of focus, tint, and a display based on the electronic signal.

REMARKS/ARGUMENTS

Claims 13-35 are pending in this Application. By this Amendment, the specification is amended to update the claim for priority, and claims 13-35 have been added. The amendments to the specification and new added claims 13-35 introduce no new matter. Claims 1-12 have been canceled without prejudice to, or disclaimer of, the subject matter recited in those claims.

Prompt examination and the issuance of a formal Notice of Allowance at an early date are respectfully requested.

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 202-481-9932.

Respectfully submitted,

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ELECTRONIC EYEGLASS FRAME

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CROSS REFERENCE TO RELATED APPLICATIONS

[001] This application claims the benefit of U.S. Provisional Application No. 60/796,876 filed on May 3, 2006 and entitled, "Spectacle Frame Bridge Housing Electronics For Electro-active Spectacle Lenses" (now U.S. Serial No. 11/797,210), U.S. Provisional Application No. 60/924,225 filed on May 4, 2007 and entitled, "Advanced Electro-Active Spectacles, U.S. Provisional Application No. 60/929,419 filed on June 26, 2007 entitled, "Electronic Eyeglass Frames and Integration Thereof", and U.S. Provisional Applications No. 60/854,697 and 60/854,677 respectively entitled, "Advanced Electronic Eyewear" and "Universal Temple End Piece For Spectacles both of which were filed on October 27, 2006 (now together as Serial No. 11/976,199), all of which are incorporated in their entirety herein by reference.

BACKGROUND OF THE INVENTION

Field of the Invention

[002] The present invention generally relates to integrating electronic components into an electronic eyeglass frame for driving electro-active lenses capable of one or more of dynamic focus, dynamic changeable tint, and other electronic applications such as, by way of example only, an electronic display that may or may not be incorporated within the lens. This is accomplished in a cosmetically pleasing manner that allows a platform of frame systems to be built from a single electronic module. The present invention discloses controlling an electro-active lens in a deliberate, hands free manner that gives the user control of the electro-active lens. In addition, the present invention allows for a mostly universal electronics module or modules that can be applied to most eyeglass frames in such a manner (and location) whereby conductive wiring of the temples and the frame front is minimized, cosmetics and form factor of the eyeglass frame is maintained, and complicating issues of connecting electrical current thru the bridge or hinge of the eyeglass frame are mitigated.

Description of the Related Art

[003] In today's world, spectacle eyeglass frames are very fashionable. While the trend for the eyeglass lenses is to make them thinner, lighter, and less visible, at the same time, it is the eyeglass frame that makes the fashion statement for the eyeglass wearer.

[004] Concurrent with these trends is another concerning including electronics into spectacle eyewear. By way of example, Oakley™ has commercialized electronic eyewear called the Oakley Thump™ that incorporates a MP3 player into the temple of the eyewear that can be oriented properly for the wearer. The Oakley Thump is a prime example of what the invention disclosed here desires to avoid. That being a thick temple or frame housing electronics that distracts from the aesthetic appearance of the eyeglass frames.

PixelOptics™ is developing electro-active eyewear that allow for the lens to dynamically focus for the wearer's distance vision needs without any moving parts. Electronic tints for the lens such as, by way of example only, electro-chromics, rapid change tint technology, and tint shuttering are being developed by others as well. Finally, electronic displays are being developed that fit within or on the eyeglass lens allowing the user to see an image floating in front of them in space. The trend of utilizing electronics in eyewear appears to be accelerating and the applications being developed by others are expanding.

[005] As these trends continue, it is becoming important to find ways to incorporate electronics into eyewear without harming the aesthetics and functionality of the eyewear. The challenge is to not limit the fashion design of the eyeglass frame or limit the materials which the eyeglass frame can be made of, maintain as few completed eyeglass frames or eyeglass frame components (frame fronts, bridges, temples) stock keeping units (SKUs) as possible, allow for robust placement of the electronics, and in a way that can be manufactured so that it remains affordable, and aesthetically desirable.

[006] Various electronic components have been disclosed in prior art whereby said components are located in the side of one or both temples, in or on the end piece of the temple, in or on the eyeglass frame's bridge, in or on the lens or lenses, or affixed to the hinge or hinges that attach the frame's temple to the frame's front. While these approaches allow for enabling electronic frames and electro-active lenses, to date there has been no way for this to occur while minimizing the number of frame part SKUs, and maintaining the aesthetics of the frame.

[007] The present invention also addresses the integration of electronic components into an electro-active frame for driving electro-active lenses for one or more of dynamically altering focus, tint or other electronic applications such as by way of example only an electronic display. The invention achieves this objective in a cosmetically pleasing manner that allows for a platform of frame systems to be built from one or more electronic modules.

[008] These problems have been solved in a simple, convenient, and highly effective way by which to provide an improved electro-active frame having electronic components for driving electro-active lenses in a cosmetically pleasing manner that allows for a platform of frame systems to be built from one or more electronic modules. The present invention discloses

controlling an electro-active lens in a deliberate, yet optional hands free control manner that effectively overcomes the aforementioned difficulties and longstanding problems inherent in electro-active eyewear. The invention further allows for the electronic module to control the electronic lens such that if the electronic lens is not in use the electronics are turned off to conserve battery power.

SUMMARY OF THE INVENTION

[0009] According to one aspect of the invention, an eyeglass frame is disclosed comprising a hinged temple. The temple further comprises an electronic module, which is located within a front spatial void of the eyeglass frame anterior to the hinge.

[0010] According to another aspect of the invention, an electronic module is disclosed that contains electronics and a power source for driving an electro-active lens. The module is designed to fit within a spatial void of an eyeglass frame directly connected to the electro-active lens without an intervening hinge.

[0011] According to another aspect of the invention, a method for controlling an electro-active lens is disclosed wherein the lens is activated when the wearer's head moves to a first position angled steeply down relative to the horizon, and wherein the lens, once activated, remains on until such a time as the wearer's head moves to a second position at an angle slightly above the horizon.

[0012] According to another aspect of the invention, a method for turning off the electronics is disclosed wherein after a specified period of time should the sensor sense there is no movement the controller will turn off the electrical power.

[0013] According to another aspect of the invention, a method for setting a time delay such to prevent the eyeglasses from switching their focus as one walks, runs, or moves his or her head while not intending to read at near.

[0014] According to a still further aspect of the invention, an electronic module attached to a rimless eyeglass frame near a rimless spatial void is disclosed wherein the frame has an electro-active lens to which the module is directly connected.

[0015] The method and apparatus of the present invention will be better understood by reference to the following detailed discussion of specific embodiments and the attached figures which illustrate and exemplify such embodiments.

[0016] According to still another aspect of the invention, a hinge-less temple is provided such that the electronic module can be located within the spatial void or any where on the temple including the end piece behind the ear.

DESCRIPTION OF THE DRAWINGS

[0017] A specific embodiment of the present invention will be described with reference to the following drawings, wherein:

[0018] Figure 1A illustrates a universal frame housing that comprises the electronic module, electronic connectors, and a hinge.

[0019] Figure 1B is an exploded view of the universal frame housing of Figure 1A.

[0020] Figure 1C is the electronic module of Figure 1A.

[0021] Figure 2A illustrates another universal frame housing that comprising an electronic module, electronic connectors, and a hinge

[0022] Figure 2B is an exploded view of the universal frame housing of Figure 2A.

[0023] Figure 2C is the electronic module of Figure 2A.

[0024] Figure 3A illustrates another universal frame housing comprising an electronic module, electronic connectors, and a hinge.

[0025] Figure 3B is an exploded view of the universal frame housing of Figure 3A.

[0026] Figure 3C is the electronic module of Figure 3A.

[0027] Figure 3D illustrates a manual touch switch extending up though the assembly formed by the front and back electro-active lens frame component pieces.

[0028] Figure 4A illustrates another universal frame housing comprising an electronic module, electronic connectors, and a hinge.

[0029] Figure 4B is an exploded view of the hinge Figure 4A.

[0030] Figure 4C is the electronic module of Figure 4A.

[0031] Figure 5A illustrates an external side view of another universal frame housing comprising an electronic module, electronic connectors, and a hinge.

[0032] Figure 5B is an inside or back view of the universal frame housing of Figure 5A.

[0033] Figure 5C is the module of the universal frame housing of Figures 5A and 5B.

[0034] Figure 6 illustrates one embodiment of a fully assembled electronic frame.

[0035] Figure 7 illustrates another embodiment of a fully assembled electronic frame.

[0036] Figure 8A illustrates another embodiment of a fully assembled electronic frame having a hinged temple.

[0037] Figure 8B illustrates another embodiment of a fully assembled electronic frame having a hinge-less temple.

[0038] Figure 9A illustrates the top view of an electro-active spectacle lenses, rimmed frame and universal frame housings comprising electronic modules, electronic connectors, and hinges.

[0039] Figure 9B illustrates the embodiment of Figure 9A, but with a rimless style of lens mounting.

[0040] Figure 9C illustrates the embodiment of Figure 9A as worn on a wearer's head and further illustrates the right spatial void and the left spatial void.

[0041] Figure 10 illustrates an electronic module of another embodiment of the present invention which includes a tilt switch.

[0042] Figure 11 illustrates a universal frame housing that comprises the electronic module, electrical connectors, and hinge.

[0043] Figure 12A illustrates a cross section of an embodiment of the electronic module of the present invention without a tilt switch

[0044] Figure 12B is an isometric view of the module of Figure 12A.

[0045] Figure 12C illustrates the module of Figure 12A in an eyeglass frame behind its frame stem section.

[0046] Figure 13A illustrates another embodiment of the electronic module of the present invention which contains two batteries.

[0047] Figure 13B is a cross section of the module of Figure 13A.

[0048] Figure 13C illustrates a combined electronic module which includes a tilt switch.

[0049] Figure 13D illustrate the module of Figure 13A placed in an eyeglass frame anterior to the hinge and connecting to the lens.

[0050] Figure 14 illustrates one possible electrical contact into the lens from the frame.

[0051] Figure 15A illustrates a wearer of an eyeglass frame having a tilt switch looking straight ahead approximately even with the horizon.

[0052] Figure 15B illustrates a wearer of an eyeglass frame having a tilt switch with his head in a position where he is looking downward at angle α from the horizontal.

[0053] Figure 15C illustrates a wearer of an eyeglass frame having a tilt switch with his head in a position where he is looking upward at angle β above the horizontal.

DESCRIPTION OF THE PREFERRED EMBODIMENT

[0054] The following definitions for elements referred to in this application are set forth below.

[0055] Definitions:

a) Frame: A complete wearable housing that secures both spectacle lenses and aligns them in the proper place relative to the wearer's eyes when being worn.

- b) Hinged temple: The side piece of a frame that connects to the frame front by way of a hinge attachment mechanism, and further provides stability by resting on the wearer's ears when worn.
- c) Hinge-less temple: The side piece of a frame that connects to the frame front without a hinge attachment mechanism, and further provides stability by resting on the wearer's ears when worn.
- d) Temple end piece: The part of the temple that is found farthest away from the frame front. The end piece usually begins behind the ear of the wearer and ends at the end of the temple that is located farthest away from the frame front.
- e) Frame front end piece: The part of the frame front farthest away from the bridge and spatial to the bridge. Each frame has two, frame front end pieces; one on the spatial side of the right lens and/or right eye-wire and one on the spatial side of the left lens and / or eye-wire.
- f) Bridge: The part of the frame front that fits over /superior to the wearer's nose. The bridge is usually found between the eye-wires that holds the right and left lenses, or the right and left lenses themselves.
- g) Hinge: The part of the frame that allows for connecting the frame front and the temples in such away that the frame front and the temple can open and close against the frame front on its posterior side when not being worn.
- h) Eye-wire: The part of the frame front that holds one lens (a right or a left). There are two eye-wires to each frame. However in a completely rimless frame there are no eye wires.
- i) Frame front: The part of the frame to which the temples attach and which holds the lenses and if not a rimless frame front comprises both eye-wires.
- j) Rimless frame: A frame that is designed without eye-wires.
- k) Partially rimless: A frame that has a partial frame front and/or may have a nylon monofilament wire or similar feature that secures the lenses to the frame.
- l) Zyle frame: A frame made out of largely plastic
- m) Metal frame: A frame made out of mostly metal
- n) Right spatial void: The space created where the right frame front that is within the plane of the front of the wearers face turns back to meet the right temple. The angle formed between the right frame front and the right temple is approximately (but not always) 90 degrees. This space is further defined as that which is bounded on three sides: On a first side by an imaginary line that is provided on the inside back surface of the right lens or inside right frame front, on a second side by that of an imaginary line that is located in the middle of the right temple not including any electronics affixed thereto, and on a third side which is bounded by the right side of the face and/or head of the wearer.

o) Left spatial void: The space created where the left frame front that is within the plane of the front of the wearers face turns back to meet the left temple. The angle formed between the left frame front and the left temple is approximately 90 degrees. This space is further defined as that which is bounded on three sides: On a first side by an imaginary line that is provided on the inside back surface of the left lens or inside left frame front, on a second side by that of an imaginary line that is located in the middle of the left temple not including any electronics affixed thereto, and on a third side which is bounded by the left side of the face and/or head of the wearer.

[0056] The following preferred embodiment as exemplified by the drawings is illustrative of the invention and is not intended to limit the invention as encompassed by the claims of this application. An electronic module for eyeglass frames containing electro-active lenses is disclosed herein.

[0057] Figures 1A-1C illustrate a specific embodiment of an eyeglass frame containing an electronic module 101. The module is specifically illustrated as a cylinder and a block section attached to the side of the cylinder in Figure 1C. In some embodiments, the cylinder portion of the electronic module may contain both the power source and the drive circuit. The block portion may contain a sensing mechanism, for example a tilt switch. The module may also house an antenna, a receiver, a transmitter, a transceiver, a sensor, a rangefinder, a micro-processor, and a controller.

[0058] The module 101 is shown housed between an upper electro-active lens frame component piece 102 and a lower electro-active lens frame component piece 103 that contains a receptacle 104 for the module 101. The lower electro-active lens frame component piece 103 also contains a receptacle 105 for electrical conductors connecting an electro-active lens to the module. The electrical conductors may conduct for example, via a set of conductive wires or a flex circuit. A manual touch switch 106 extends up through the upper electro-active lens frame component piece 102. In some embodiments, the battery or other electronic components may be accessed via a lower module receptacle cover 107. The lower module receptacle cover 107 may be threaded and thereby opened and closed with a small screw driver. Screws 109 are used for attaching the upper and the lower electro-active lens frame component pieces together to form an electronic frame piece. The electronic frame piece may be attached to a frame temple 110 with a temple screw 108, and bonded or otherwise attached to the edge of the eye-wire 111 to complete half of the frame. In a similar manner, the corresponding other half of the frame can be assembled.

[0059] Figures 2A-2C illustrate another embodiment of the present invention wherein the electronic frame contains an electronic module 201. The module is more particularly illustrated

as a cylinder with a block section attached to the back of the cylinder in Figure 2C. In some embodiments, the cylinder portion of the module may contain both the power source and the drive circuit. The block portion may contain a sensing mechanism. For example, a tilt switch may be used as a type of sensing mechanism. The electronic module 201 is housed between an upper electro-active lens frame component piece 202 and a lower electro-active lens frame component piece 203 that contains a receptacle 204 for the module 201. The lower electro-active lens frame component piece 103 also contains a receptacle 205 for electrical conductors connecting electro-active lens to the module. The electrical conductors may conduct for example, via a set of conductive wires or a flex circuit. A manual touch switch 206 extends up through the upper electro-active lens frame component piece 202. In some embodiments, the battery or other electronic components may be accessed via a lower electronics module receptacle cover 207, which may be threaded on the sides and opened and closed with a small screw driver. Screws 209 are used for attaching upper and lower electro-active lens frame component pieces together. The electronic frame piece may be attached to a frame temple 210 with a temple screw 208, and bonded or otherwise attached to the edge of the eye-wire 111 to complete half of the frame. In a similar manner, the corresponding other half of the frame can be assembled.

[0060] Figures 1 and 2 illustrate two possible ways of configuring the electronics to fit them neatly into the frame. Although a cylinder and block arrangement have been specifically illustrated, other dimensional shapes may alternatively be used to form the module that will be preferably placed in a cavity and perhaps molded therein to form an electronic frame component that is hermetically sealed to prevent water from contacting the electronics.

[0061] Figures 3A-3D illustrate another inventive embodiment wherein the electronic frame contains an electronic module 301. The module is particularly illustrated as a cylinder with a block portion which is, in turn, attached to the back of the cylinder. As with the module of the previous figures, the module may contain a wide variety of similar electronic components and features. The electronic module 301 is housed between a front electro-active lens frame component piece 302 and a back electro-active lens frame component piece 303. Together, these pieces form a receptacle 304 for the electronics module 301. The front electro-active lens frame component piece 302 also contains a receptacle 305 for electrical conductors connecting electro-active lens to electronics module via way a set of conductive wires or a flex circuit. A manual touch switch 306 extends up through the assembly formed by the front and back electro-active lens frame component pieces. As with other embodiments, the battery or other electronic components may be accessed via a lower electronics module receptacle cover 307. The electronic frame piece is attached to a frame temple 310 with a temple screw 308. In this

embodiment, the electronic frame piece is shown as attached to the frame temple 310 near the edge of the edge of electro-active spectacle lens 311. A threaded rod 313 is positioned through the front convex surface 312 of electro-active spectacle lens for the rimless mounting of the assembled front and back electro-active lens frame component pieces to an electro-active lens. [0062] Figures 4A-4B illustrate another embodiment of the present invention wherein the frame has an electronic module 401. The module is illustrated as a cylinder with a block portion attached to the back of the cylinder. As referred to in other embodiments disclosed herein, the module has a cylinder portion and a block portion and may contain a wide variety of similar electronic components and features. The electronic module 401 is housed between a front electro-active lens frame component piece 402 and a back electro-active lens frame component piece 403 that together form a receptacle 404 for the electronics module 401. The front electro-active lens frame component piece 302 also contains a receptacle 405 for electrical conductors connecting an electro-active lens to the module via way of set of conductive rods or pins. A manual touch switch 406 extends up though the assembly formed by the front and back electro-active lens frame component pieces. As with other embodiments, the battery or other electronic components may be accessed via a lower electronics module receptacle cover 407. The electronic frame piece is attached to a frame temple 410 with a temple screw 408. In this embodiment, the electronic frame piece is shown as attached to the frame temple 410 near the edge of the edge of electro-active spectacle lens 411. Threaded and electrically conductive rods 413 and 414 are positioned through their respective front convex surfaces the of electro-active lens for rimless mounting of the assembled front and back electro-active lens frame component pieces to the electro-active lens. Application of a first voltage to the electro-active lens through rod 413 and a second voltage through 414 to the respective edges of the electro-active lens is thereby accomplished.

[0063] Figures 5A-5C illustrate another embodiment of the present invention. In this embodiment, the electronic frame contains a electronic module 501. The module has a cylinder portion and a block portion as before described. The module 501 is housed between a front electro-active lens frame component piece 502 and a back electro-active lens frame component piece 503 that together form a receptacle 504 for the module 501. The front electro-active lens frame component piece 502 also contains a receptacle 505 for electrical conductors connecting electro-active lens to electronics module via way of set of conductive pins or rods. A manual touch switch 506 extends up though the front electro-active lens frame component pieces. As with other embodiments, the battery or other electronic components may be accessed via a lower electronics module receptacle cover 507, which may be threaded on the sides and opened and closed with a small screw driver. Screws 409 are used for attaching front and back electro-

active lens frame component pieces together. The electronic frame piece is attached to a frame temple 510 with a temple screw 508. In this embodiment, the frame piece is attached to the frame temple 510 near the edge of the edge of electro-active spectacle lens 511. Threaded and electrically conductive rods 513 and 514 are positioned through their respective front convex surfaces the of electro-active lens for rimless mounting of the assembled front and back electro-active lens frame component pieces to the electro-active lens. Application of a first voltage to the electro-active lens through rod 513 and a second voltage through 514 to the respective edges of the electro-active lens is thereby accomplished.

[0064] Figure 6 illustrates an embodiment of a fully assembled electro-active frame. This frame is constructed from an upper electro-active lens frame component piece 602 and a lower electro active frame component piece 603. A manual touch switch 606 is shown extending from the upper electro-active lens frame component piece 602. Two temples 610 are attached the combinations of the upper and lower electro-active lens frame component pieces with temple screws 608. The temple assemblies are then mounted to the eye wires 611 of the front of the frame that contains the electro-active lenses 612.

[0065] Figure 7 illustrates another embodiment of a fully assembled electro-active frame. This frame is constructed from a front electro-active lens frame component piece 702 and a back electro active frame component piece 703. A manual touch switch 706 is shown extending from the front electro-active lens frame component piece 702. Two temples 710 are attached the combinations of the upper and lower electro-active lens frame component pieces with temple screws 708. The temple assemblies are then mounted to directly to the electro-active lenses 712 in a rimless fashion by one of the methods described earlier.

[0066] Figure 8A illustrates another embodiment of a fully assembled electro-active frame having a hinged temple. This frame is constructed from a front electro-active lens frame component piece 802 and a back electro active frame component piece 803. A manual touch switch 806 is shown extending from the front electro-active lens frame component piece 802. Two temples 810 are attached to the combinations of the upper and lower electro-active lens frame component pieces by a hinge with temple screws 808. The temple assemblies are then mounted to directly to the electro-active lenses 812 in a rimless fashion by one of the methods described earlier.

[0067] Figure 8B illustrates an embodiment similar to the embodiment of Figure 8A, but for having a hingless temple. This frame is constructed from a front electro-active lens frame component piece 802 and a back electro active frame component piece 803. A manual touch switch 806 is shown extending from the front electro-active lens frame component piece 802. Two temples 810 are directly attached to the combinations of the upper and lower electro-active

lens frame component pieces with temple screws 808. The temple assemblies are then mounted to directly to the electro-active lenses 812 in a rimless fashion by one of the methods described earlier.

[0068] Figure 9A illustrates a top view of a electro-active spectacle lenses and rimmed frame. The rimmed frame can be made of zyle, metal, or any combination thereof. Both right front spatial void 910 and left frame front spatial void 920 is shown. Within either or both of these voids, a module may be placed. As particularly shown in Figure 9A, modules 930 and 940 are placed on the frame and attached to the frame stems 970 and 980 with temple screws 950 and 960. The modules are then connected to the eye wires 994 and 995 and are connected to the nose bridge 930. The eye wires support the electro-active lenses 996 and 998.

[0069] Figure 9B illustrates an embodiment of the electro-active spectacle lenses and frame as similar to that shown in Figure 9A but in a rimless style of lens mounting. Rimless right spatial void 910 and rimless left spatial void 920 are shown.

[0070] Figure 9C depicts the embodiment of Figure 9A worn on the head of a wearer. The spatial voids created by the space between the joint of the frame and temple on the one hand, and the curve of the wearer's head, on the other is clearly shown.

[0071] Figure 10 illustrates an electronic module 1000 of another embodiment of the present invention. The module includes a flex circuit 1010 with two conductive buses 1020 and 1030 for making electrical contact to the front surface of an electro-active lens. The module includes a drive circuit 1040 placed above a rechargeable battery 1050. Below the battery is a recharging coil 1060. The charging coil is used to inductively recharge the battery without direct contact. In this way, the module may be hermetically sealed while still allowing the battery to be recharged without breaking a moisture resistant seal. A tilt sensor 1070 is also attached to the electronic module. A manual switch 1080 is attached to the top of the electronic module and is integrated with a sealing diaphragm 1090. This module is sealed with an epoxy, silicone, or similar water resistant material to prevent water from contacting the electronic components. This module is shaped to fit into a universal frame electronic component as illustrated in Figure 11.

[0072] In Figure 11, a universal electronic frame component 1100 is shown. The universal electronic frame component comprises a housing 1110 for holding the electronic module described in Figure 10. A set of thread hinge bolt 1120 and 1130 are mounted on the housing for accommodating a wide variety of frame stem styles to be attached to the universal electronic frame component. The top of the housing 1110 has an aperture to allow a manual switch 1140 to extend outward so as to be accessed by the wearer. Extending out of an opening in the housing are two electrical contacts 1150 and 1160 from the buses described in Figure 10. Near these

contact points, there is a through hole 1170 to allow a mounting pin to pass through the front of the universal electronic frame component for attaching to an electro-active lens.

[0073] The module 1200, as illustrated schematically Figure 12A and in cross section in Figure 12B, contains a battery 1230 for powering an electro-active lens and related drive circuitry, a printed circuit board 1220 with drive and control electronics, and a switch 1210. The module may also contain a membrane switch to allow for manual control of the electro-active lens.

[0074] Figure 12C illustrates the module 1200 placed in an eyeglass frame 1250. The frame has a frame stem section 1240 near the front of the frame but also well in front of a frame hinge 1260 that connects a stem 1280 to the front of the frame. The module is preferably placed behind the frame stem section, provided that the frame is not of a full rimless design. In the event of a full rimless design, the inventive electronic module or modules would fit within or near the space (right spatial void and left spatial void) anterior to the hinge and would then attach to the lens. In certain other inventive embodiments where there is no hinge (hinge-less temples) and eyeglass frames that have a continuous temple that attaches directly to the frame front or directly to the lens, the module would preferably be located within or near the space (right spatial void and left spatial void). In fact, the module can be located anywhere within these two spatial voids.

[0075] Although in most embodiments of the invention, the modules are preferably located interior to that of the frame front or temple and closer to the wearer, there are other inventive embodiments where the module may be located on the side of the frame front, on the temple farthest away from the wearer, on both the inside of the temple closest to the wearer, on the outside of the temple away from the wearer, located within the temple, or any combination thereof.

[0076] When a hinge-less temple is used, the module can be located on or in the temple end piece behind the ear of the wearer. Alternatively, the module may be split such that one module is located behind the ear and another module is located within the right or left temple spatial void that is common to a side of the wearer's head.

[0077] By sizing the module to be no higher than the width of the front of the frame stem section 1240, the module is completely undetectable by an observer. Power is preferably provided to the lens via a two conductor flex circuit 1270 extending from the module through the frame stem 1240.

[0078] In some embodiments in which a hinge-less temple is used the hinge-less temple may be made of titanium which is conductive to electrical current. In this case, the titanium may be used as one of the electrical leads. Another lead may be affixed onto or into the frame. A very thin conductor may be adhesively applied to the inside of the temple and sealed by way of a

lacquer or polymer that is cured over the thin conductor. In this embodiment, since the temple is hinge-less, the electronics can be located anywhere along or in said temple. The temple itself becomes, in part, a conductor of electrical current from the module or modules to where the hinge-less temple connects to either the lens or to the front of the eyeglass frame.

[0079] Figures 13A and 13B illustrate another embodiment of the present invention. This embodiment has a module 1240 containing two batteries 1220 and 1230. In this embodiment, the height of the module may be too large to accommodate the printed circuit board that is used to drive the electro-active lenses. In such cases, a second module will be required to provide for the space required for the printed circuit board.

[0080] Figure 13C illustrates a module 1370 that combines 1350 and 1300. The modules 1350 and 1300 may be electrically connected to each other via means of a flex circuit connector, or other means known in the art.

[0081] Figure 13D illustrates the combined module 1370 placed in the frame 1250 near the front of the frame but behind the frame stem section 1240 of the frame. This arrangement of the electronics in the frame allows for a cosmetically acceptable placement of the electronics and battery that is needed for powering an electro-active lens.

[0082] The module may further include one or more of the following: a manual switch (for example, a touch button, photo-detector, motion detector, capacitive touch sensor), a controller and/or micro-processor, a power source (for example, a small battery), a sensor (for example, one or more miniature or micro tilt switches, accelerometer, micro gyro, range finder, view detector, imager), an antenna, a transmitter, a transceiver or a receiver. The module preferably houses any of the aforementioned electrical components in a substantially water-proof and wear resistant/moisture resistant environment and is preferably hermetically sealed. In the event of a malfunction of one or more of the electronic components housed within the module, the module can be replaced without having to repurchase a complete pair of new electronic eyewear (lenses and frames) or just the frames. It should be pointed out that in certain applications, a single inventive electronic module may be sufficient, and in others, two or more modules may be needed. The embodiments described in Figures 12 and 13 allow for modification of any number of existing frames that otherwise were not originally designed to support electronics for driving electro-active lenses.

[0083] Figure 14 illustrates one possible electrical contact into the lens from the frame. Pins or bolts 1410 and 1420 provide electrical power from the drive circuit into the lens 1400.

[0084] Figures 15A through 15C illustrate a method of controlling the electro-active lens using a tilt switch that may be contained in the module. The tilt switch should preferably have a wide angle for making contact and a smaller angle for breaking contact. In particular, Figure 15A

illustrates the wearer looking on a straight level ahead substantially to the horizon. In this position, the lens would be preferably switched off. As wearer lowers his head passed angle α , the electro-active lens would be deliberately turned off. In this illustration, the angle α may be a large angle, perhaps as large as 45 degrees or more. In preferred embodiments, angle α may be in a range of from about 25 to about 85 degrees, with a most preferred range of 35 to 75 degrees. When the switch has been activated, because the wearer has deliberately moved his head to past angle α , the electro-active lens would remain in its on state until the person raises his head above the angle β , as illustrated in Figure 15C. In preferred embodiments, angle β may be in a range of from about 0 to about 45 degrees with a most preferred range of 0 to 25 degrees. By having a tilt switch of an electro-active lens operate in this manner, a person can control his lens without having to manually touch a switch on the frame.

[0085] Although the particular embodiments shown and described above will prove to be useful in many applications in the ophthalmic and the electronic eyewear art to which the present invention pertains, further modifications of the present invention will occur to persons skilled in the art. All such modifications are deemed to be within the scope and spirit of the present invention as defined by the appended claims.

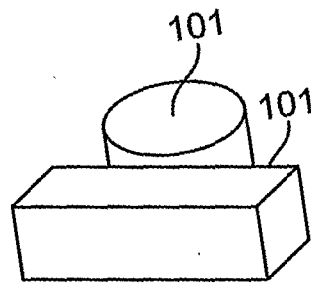
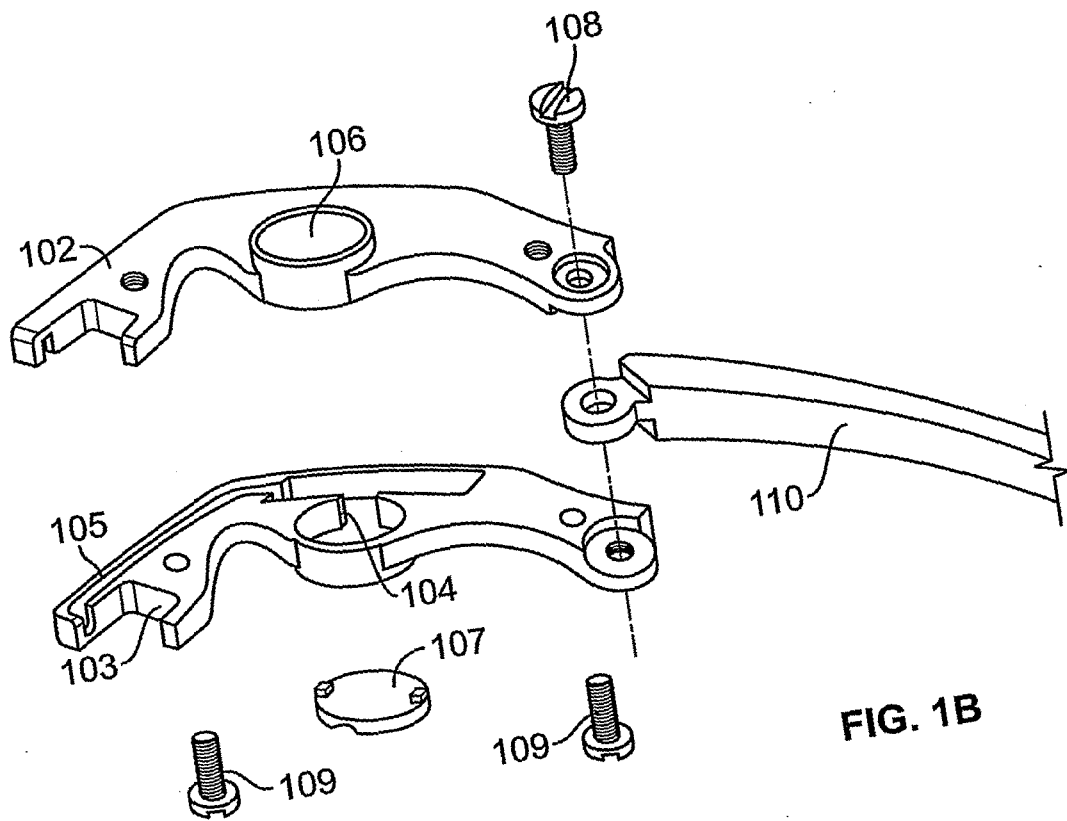
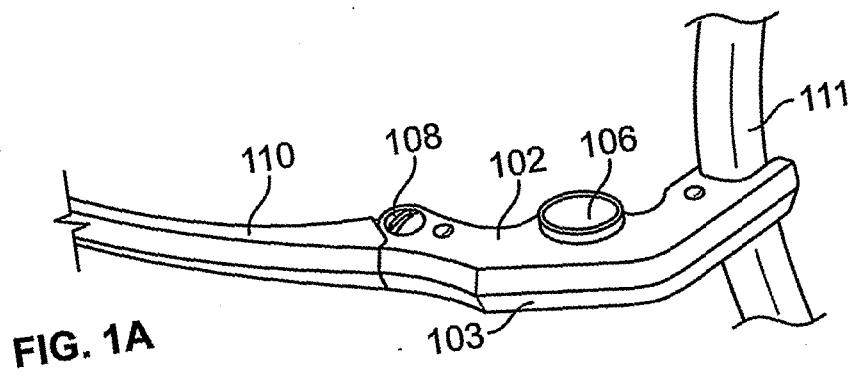
CLAIMS

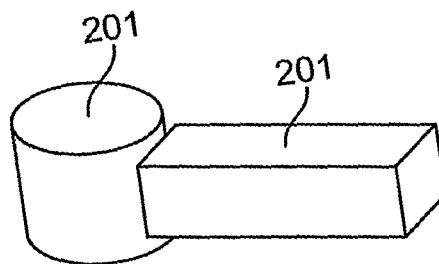
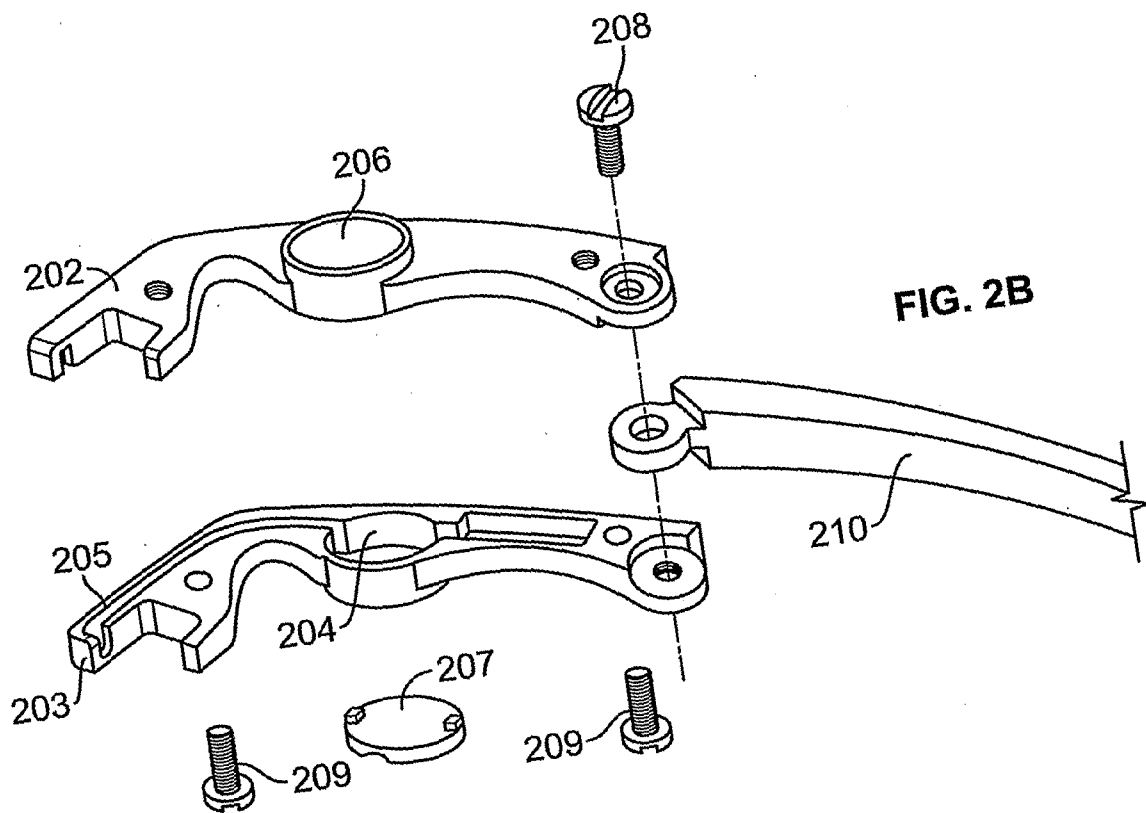
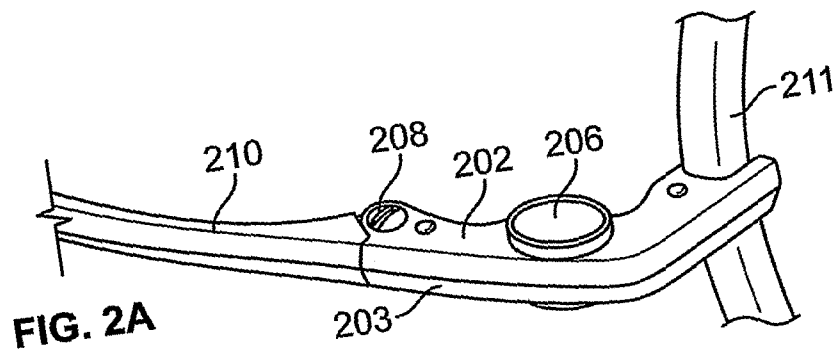
What is claimed is:

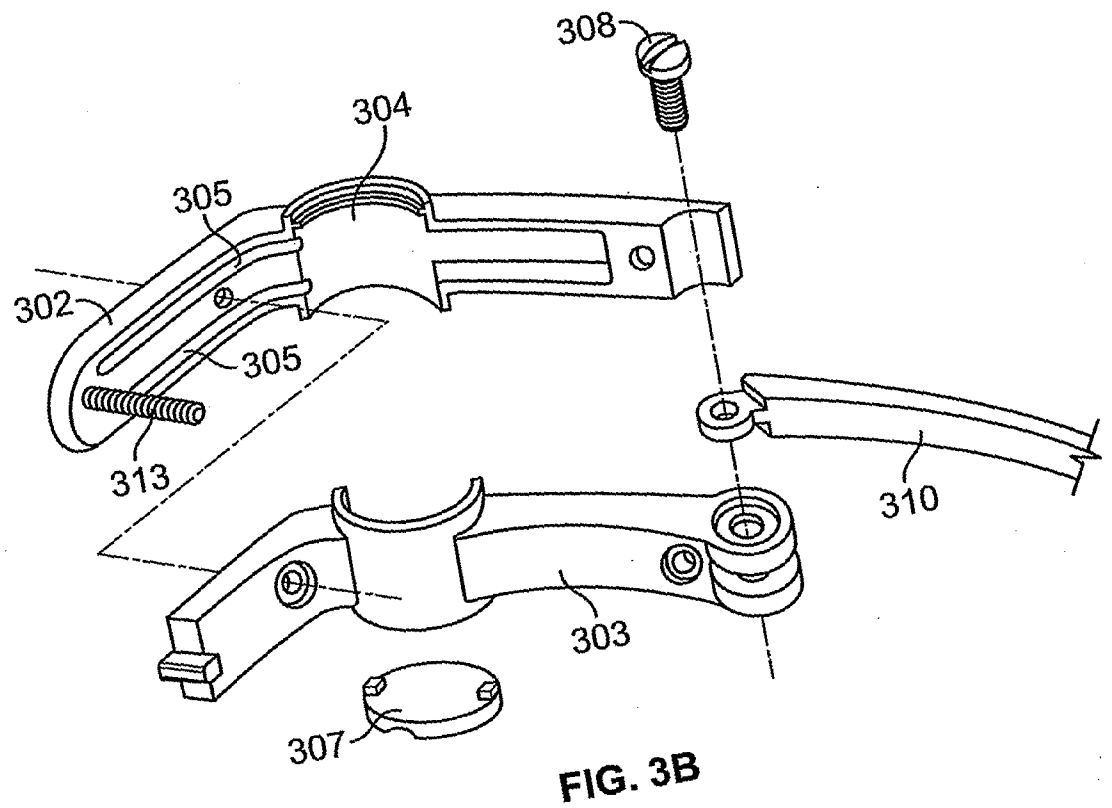
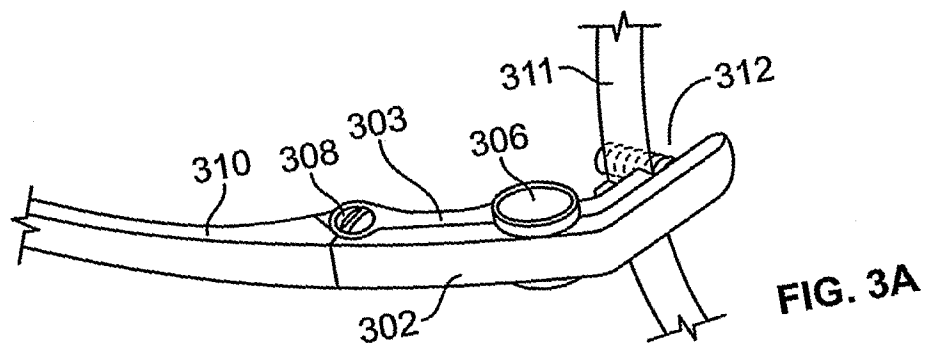
- 1) A pair of electro-active eyeglasses comprising:
 - a) a frame;
 - b) electro-active lenses mounted in the frame, the electro-active lenses capable of changing tint upon receipt of an electronic signal;
 - c) a manual switch located on the frame that, when activated, sends an electronic signal to the electro-active lenses to change their tint.
- 2) The electro-active eyeglasses of claim 1, wherein the manual switch extends from the frame.
- 3) The electro-active eyeglasses of claim 1, wherein the manual switch is a capacitive touch switch.
- 4) The electro-active eyeglasses of claim 1, wherein the manual switch is a membrane switch.
- 5) The electro-active eyeglasses of claim 1, wherein the electro-active lenses comprise an electro-chromic material.
- 6) The electro-active eyeglasses of claim 1, wherein the electro-active lenses change tint by tint shuttering.
- 7) A method of changing the tint of a pair of electro-active eyeglasses comprising:
 - a) providing a frame;
 - b) providing electro-active lenses mounted in the frame, the electro-active lenses capable of changing tint upon receipt of an electronic signal;
 - c) sending an electronic signal to the electro-active lenses to change their tint upon activation of a manual switch that is located on the frame.
- 8) The method of claim 7, wherein the manual switch extends from the frame.
- 9) The method of claim 7, wherein the manual switch is a capacitive touch switch.
- 10) The method of claim 7, wherein the manual switch is a membrane switch.
- 11) The method of claim 7, wherein the electro-active lenses comprise an electro-chromic material.
- 12) The method of claim 7, wherein the electro-active lenses change tint by tint shuttering.

ABSTRACT

The present invention generally relates to integrating electronic components into an electro-active frame for driving electro-active focusing lenses. This is accomplished in a cosmetically pleasing manner that allows a platform of frame systems to be built from a single electronic module. Specifically, the present invention discloses controlling an electro-active lens in a deliberate, hands free manner that gives the user control of the electro-active lens.







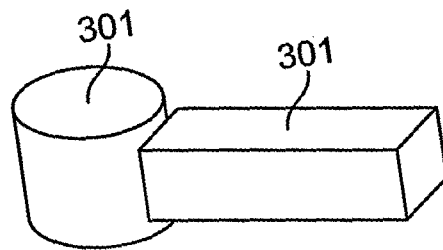


FIG. 3C

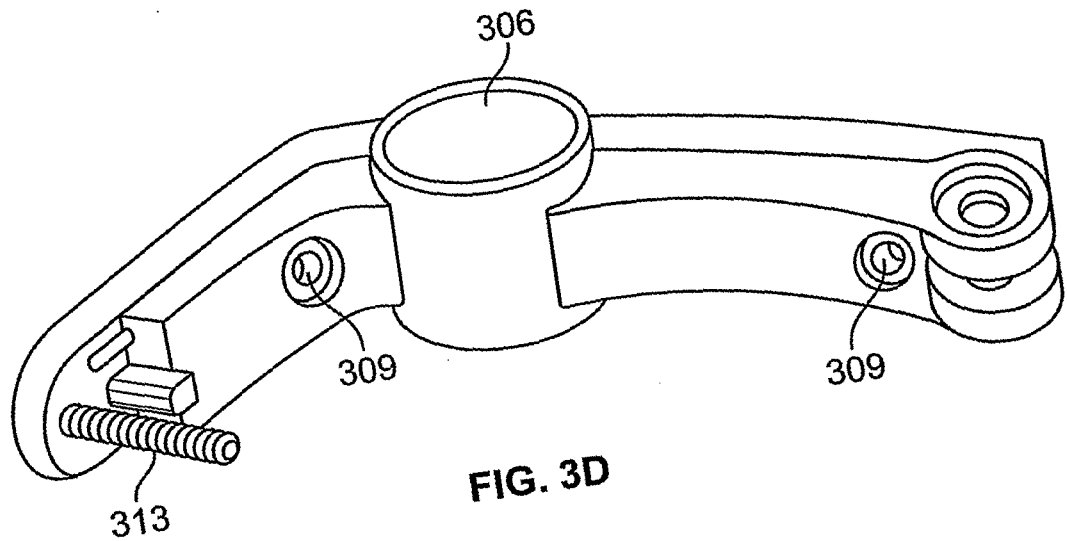
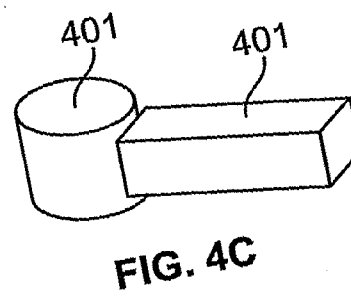
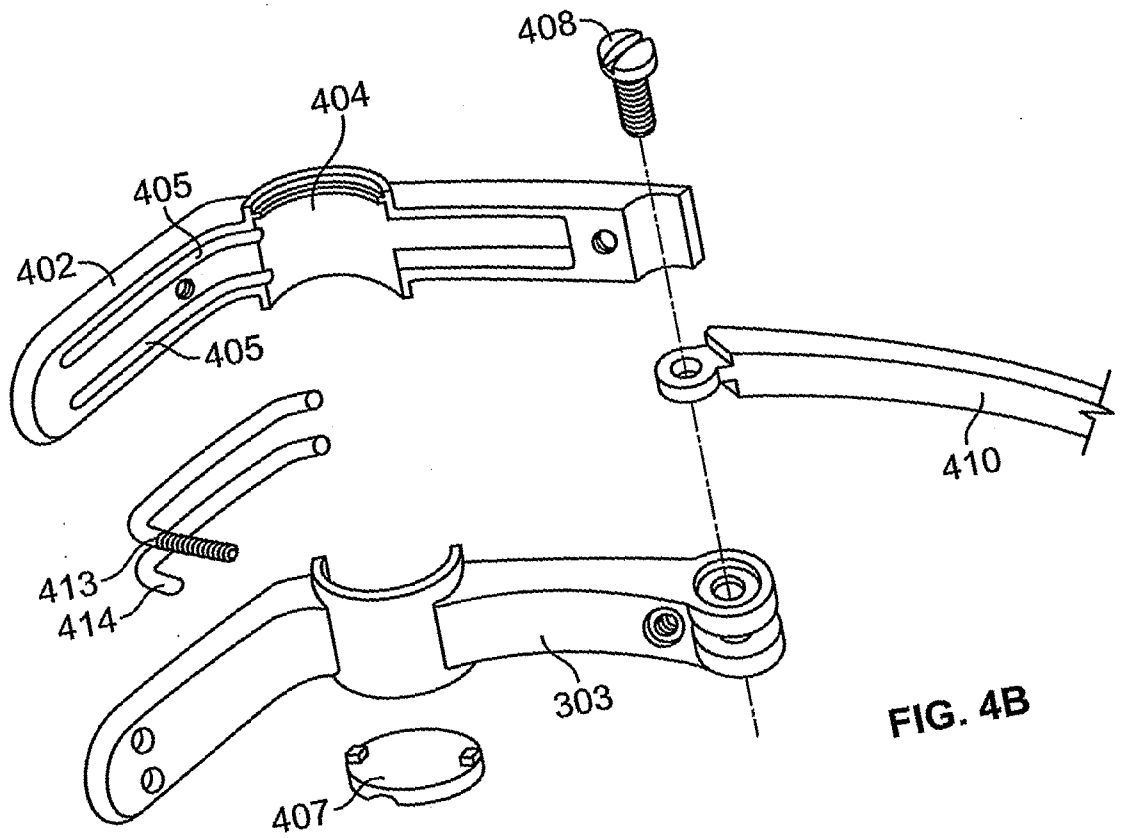
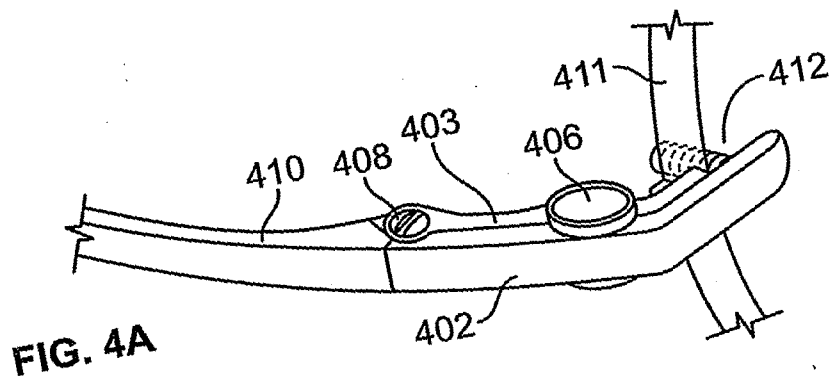


FIG. 3D



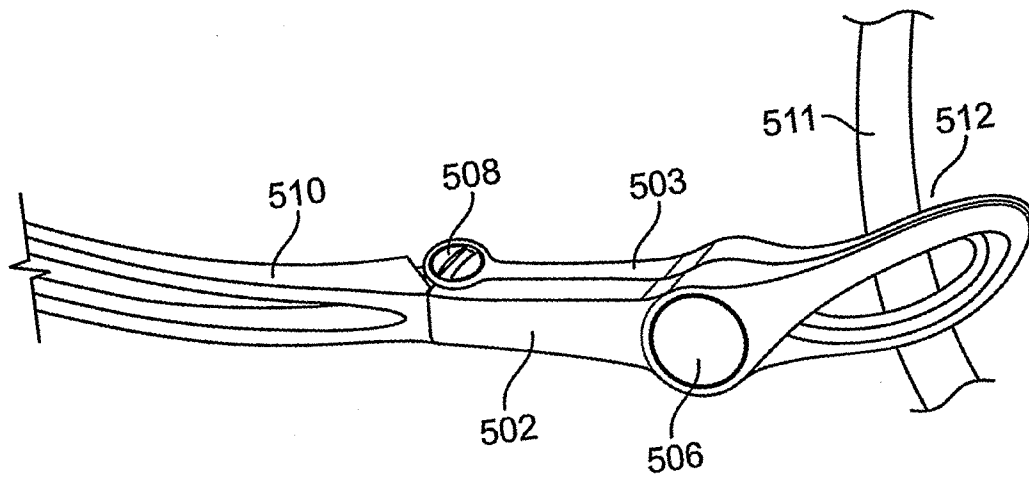


FIG. 5A

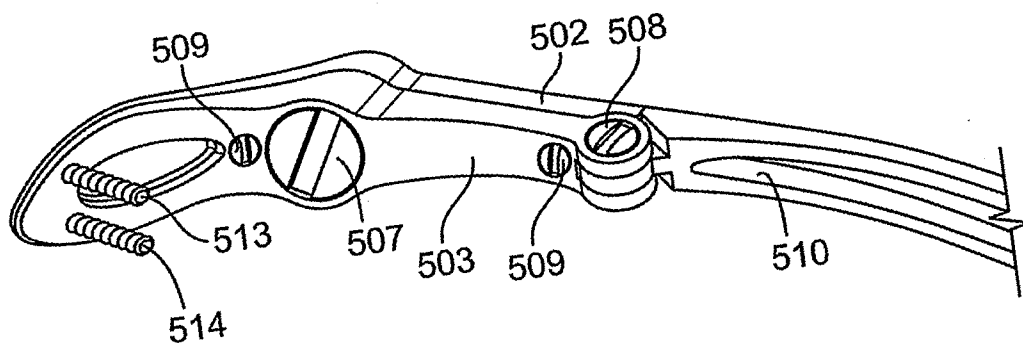


FIG. 5B

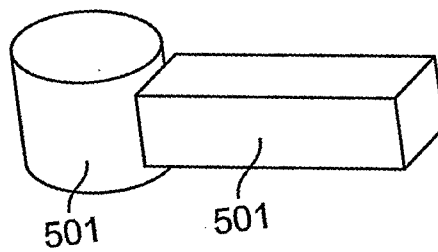


FIG. 5C

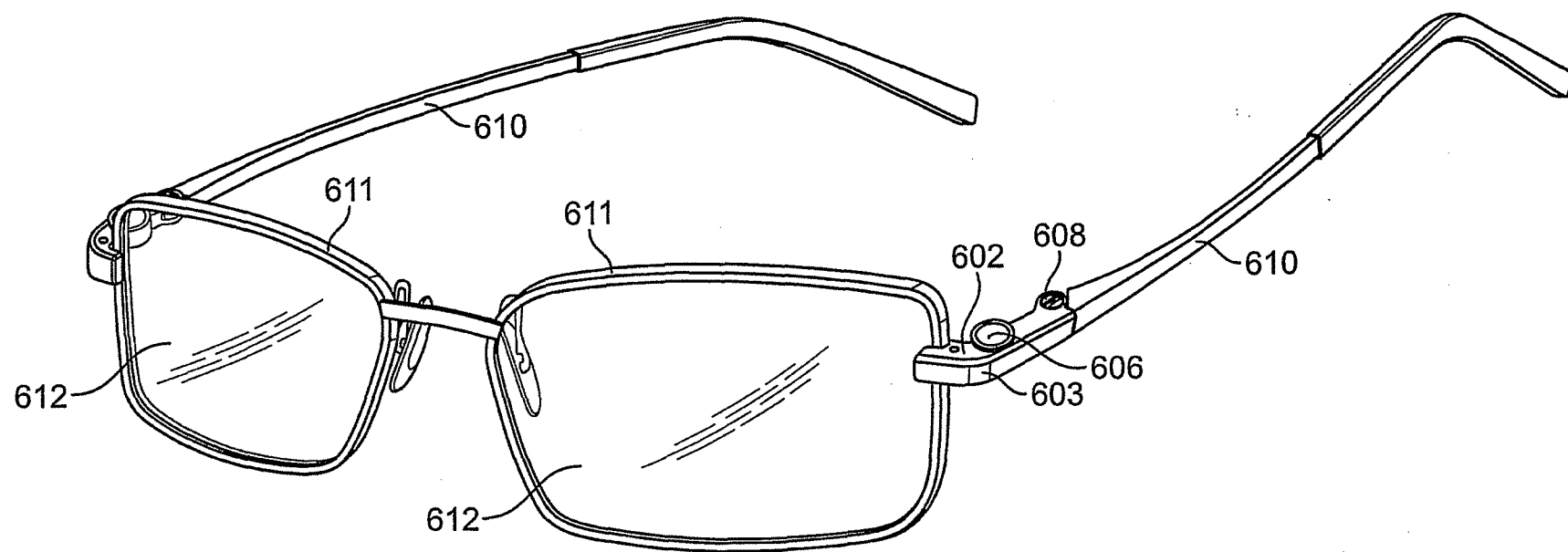


FIG. 6

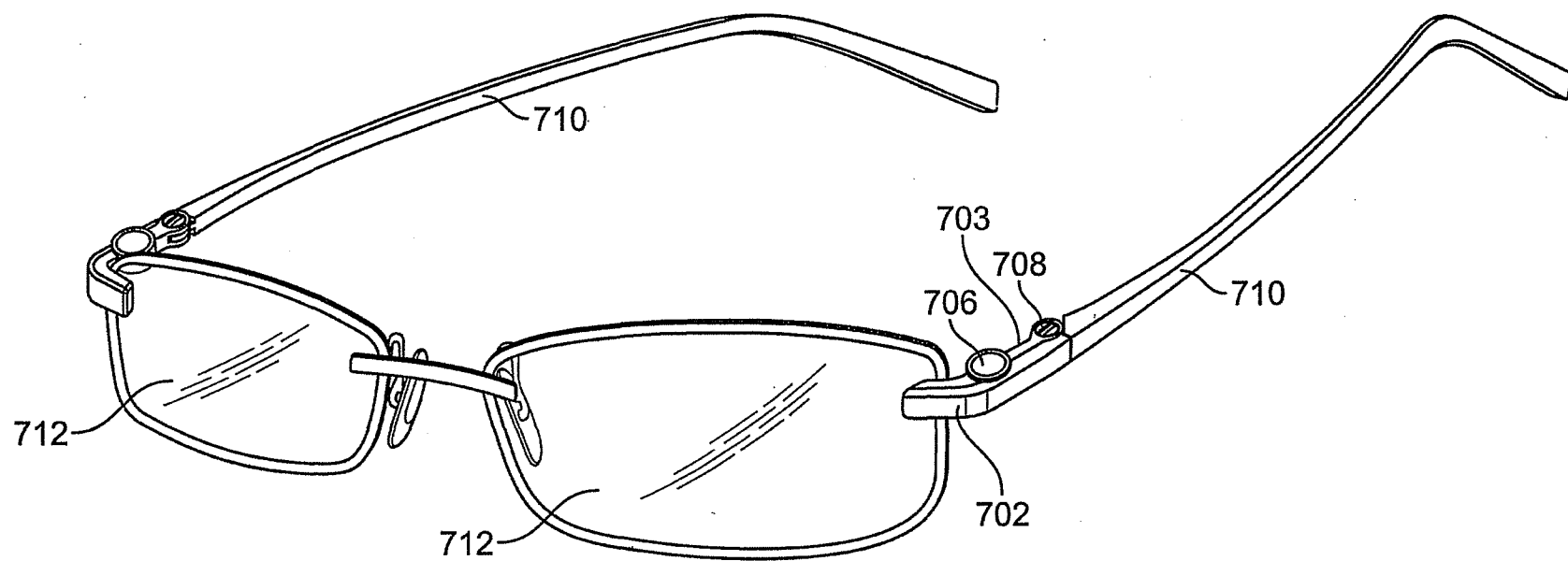


FIG. 7

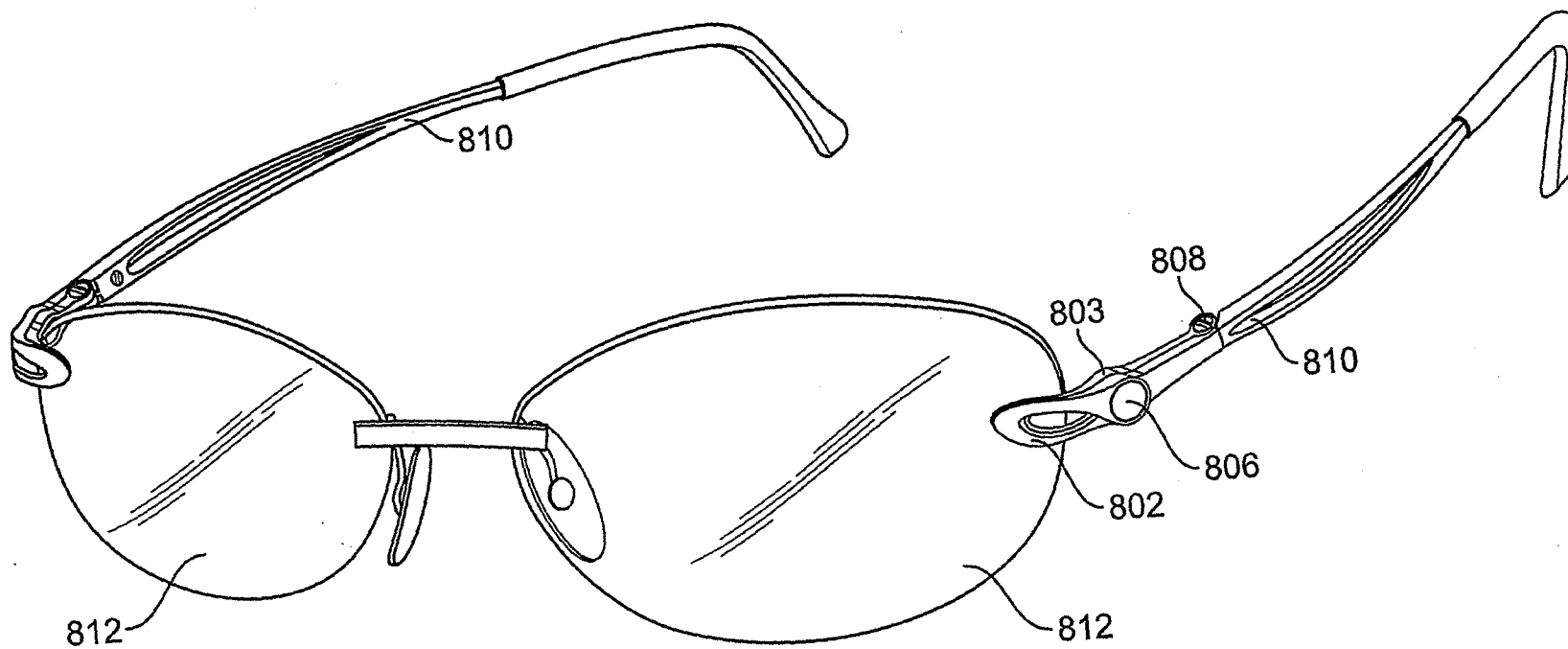


FIG. 8A

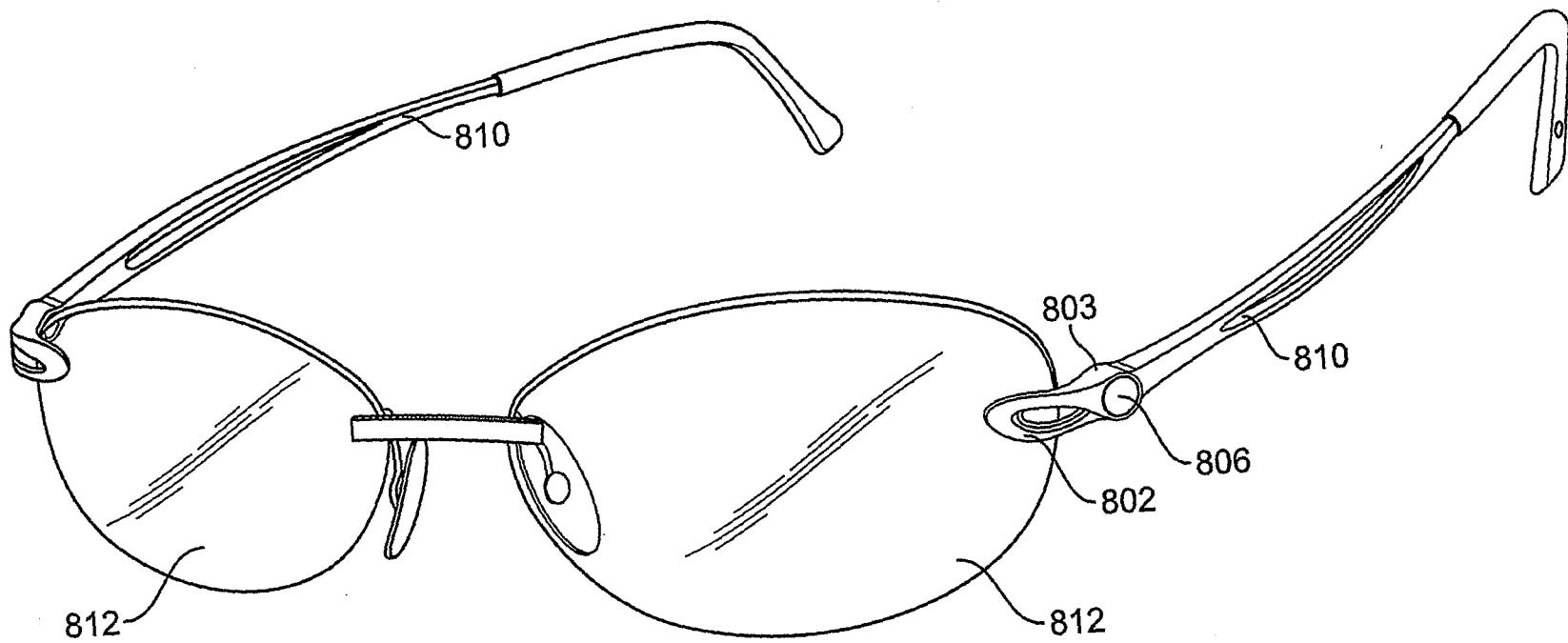


FIG. 8B

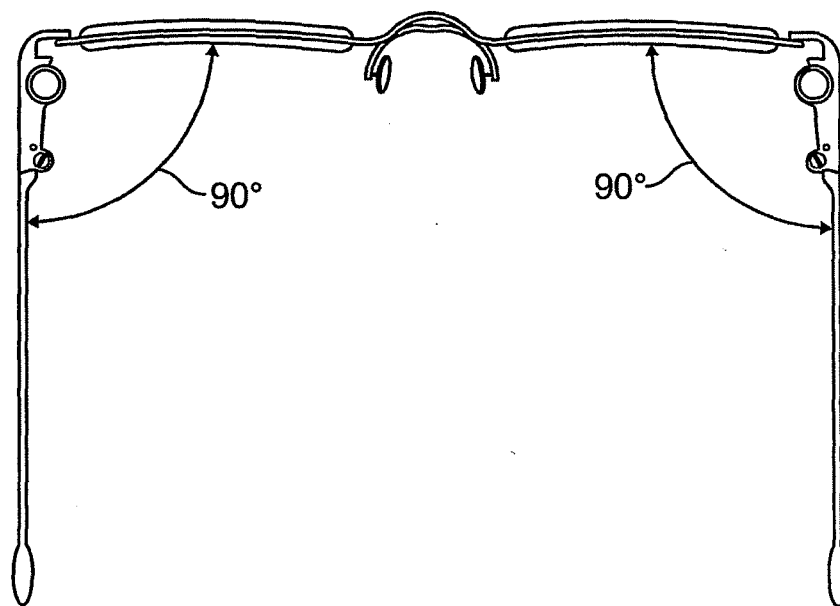


FIG. 9A

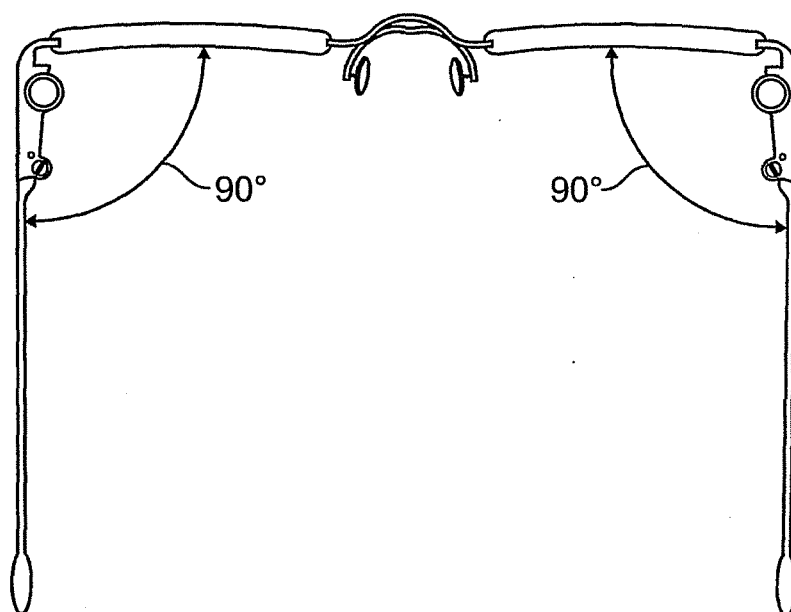


FIG. 9B

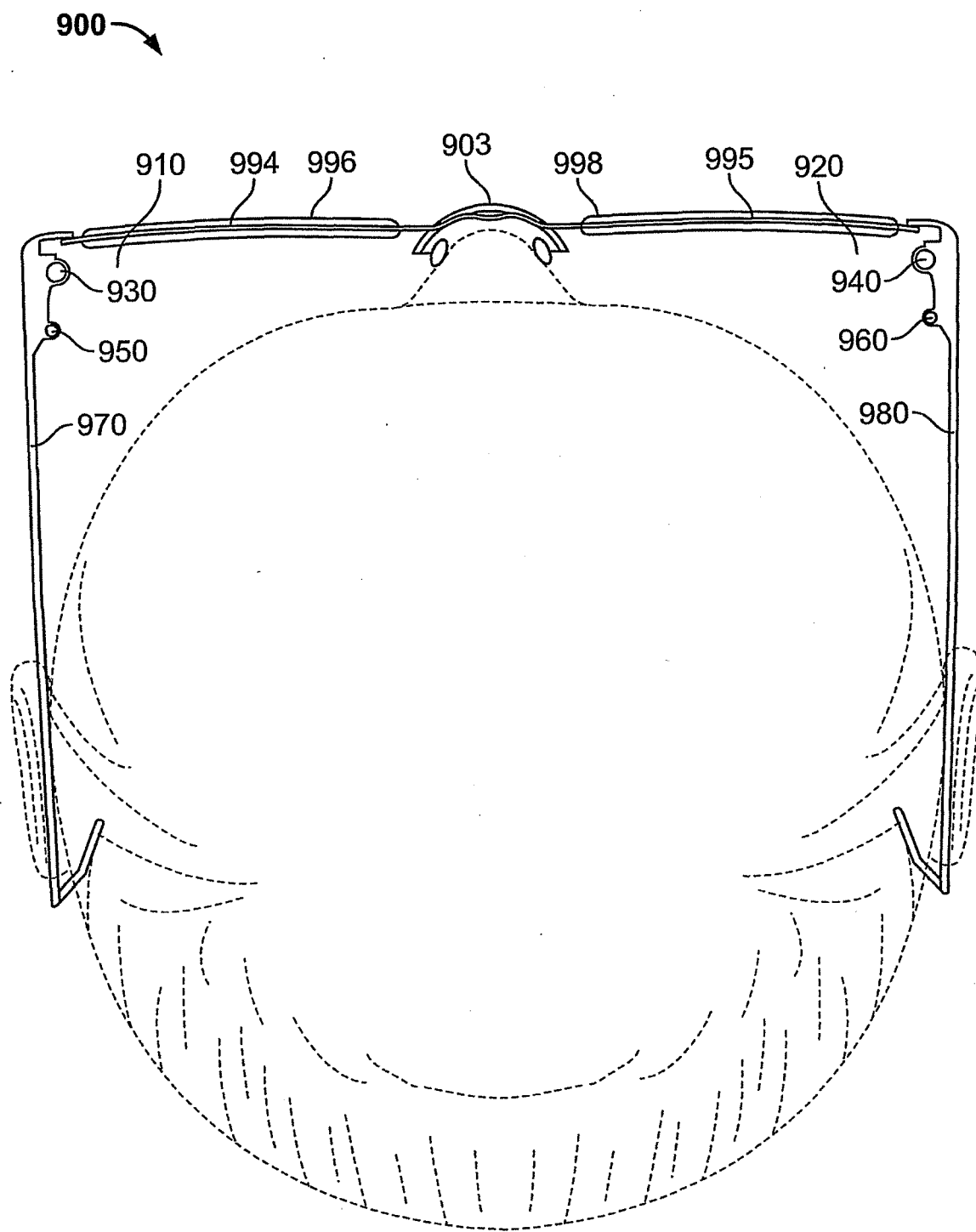


FIG. 9C

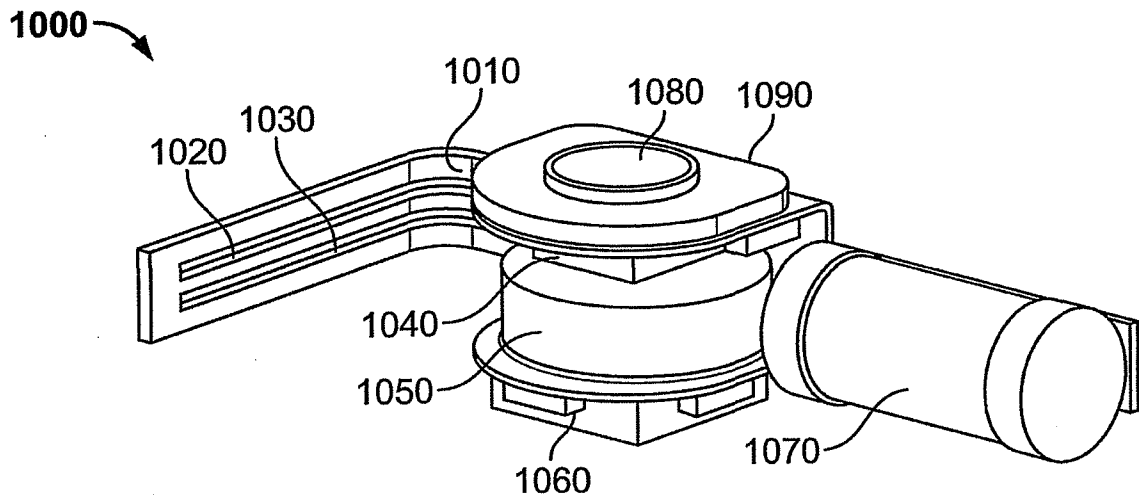


FIG. 10

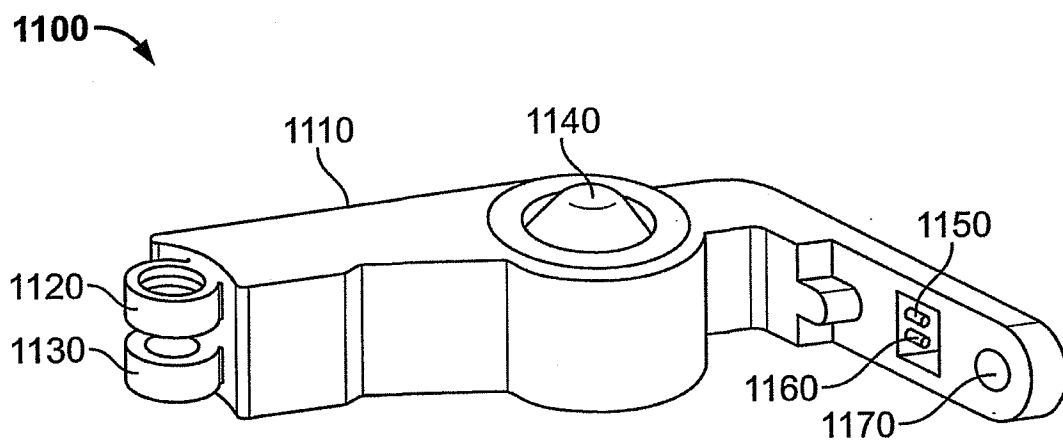


FIG. 11

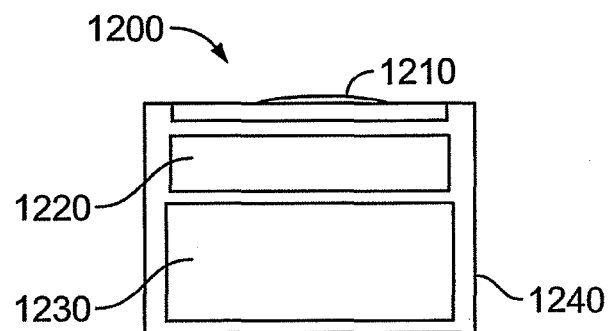


FIG. 12A

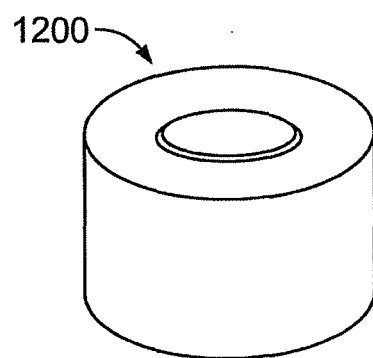


FIG. 12B

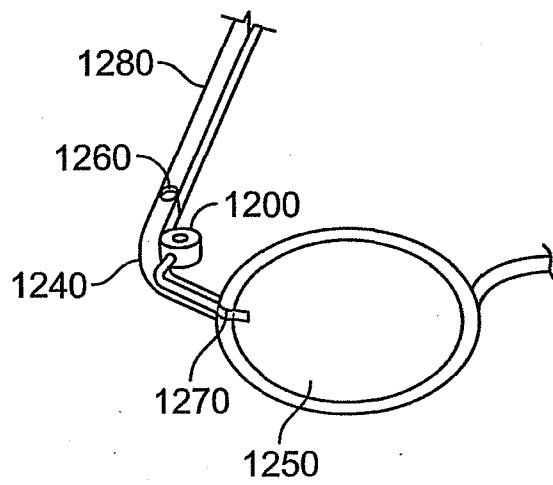


FIG. 12C

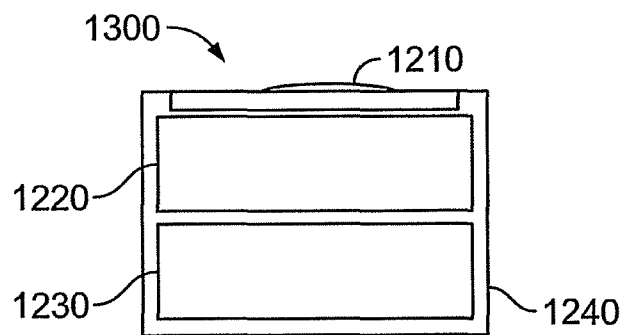


FIG. 13A

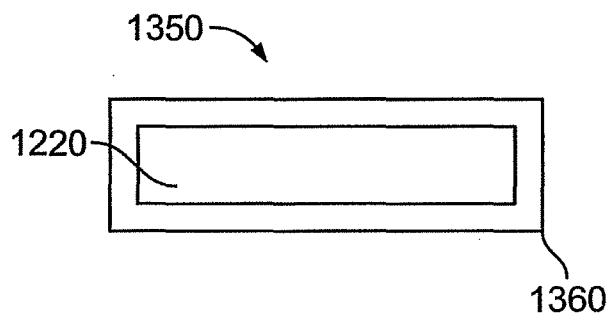


FIG. 13B

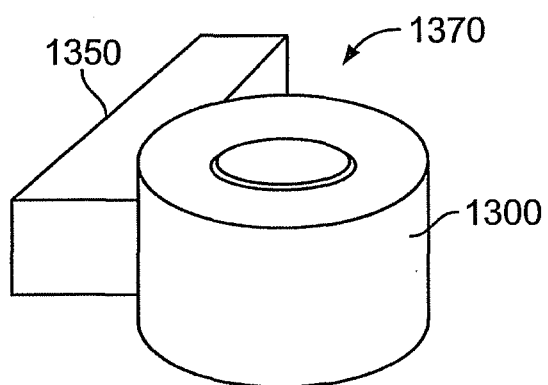


FIG. 13C

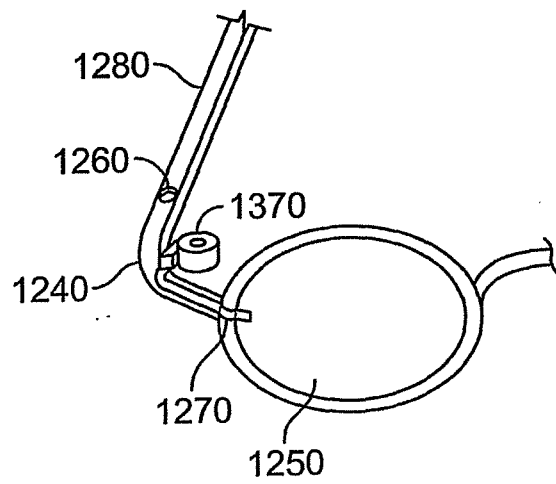


FIG. 13D

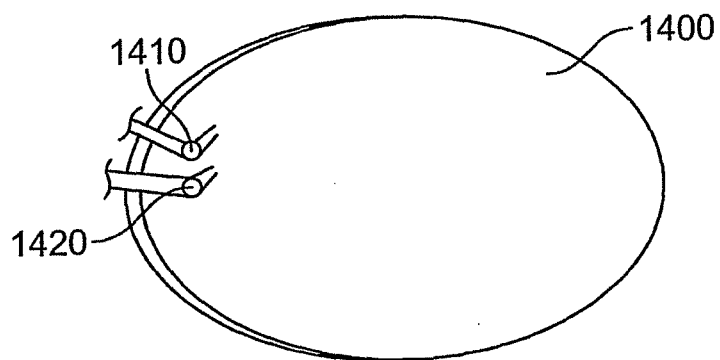


FIG. 14

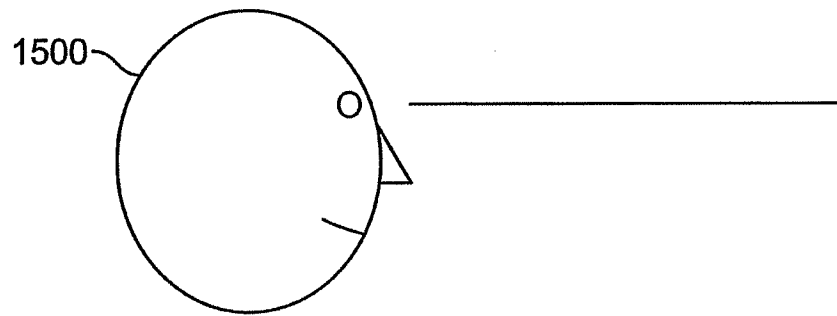


FIG. 15A

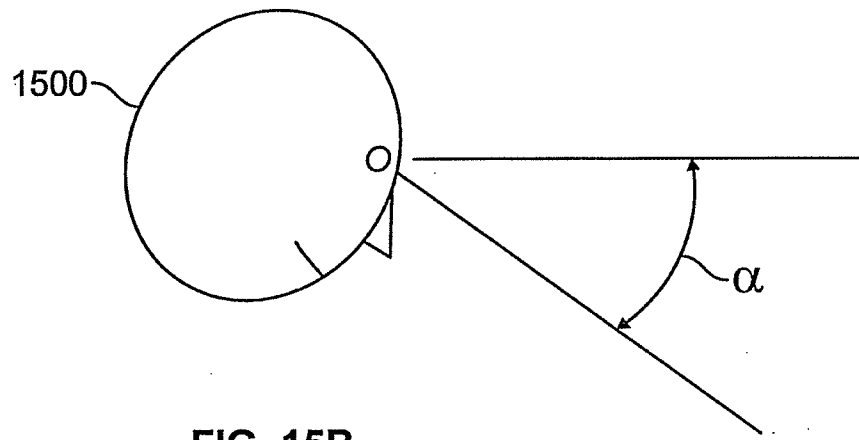


FIG. 15B

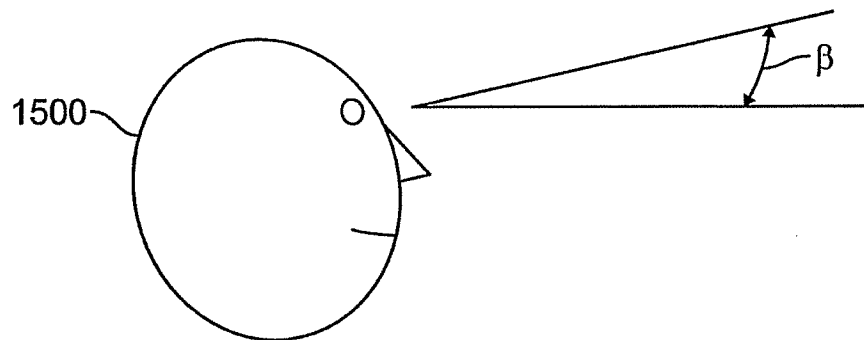


FIG. 15C

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72162

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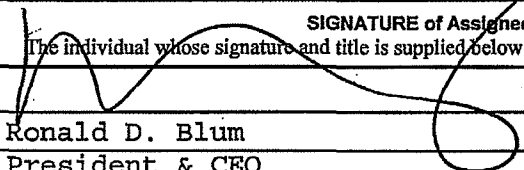
Assignee Name and Address:

PixelOptics, Inc.
5241 ValleyPark Drive
Roanoke, VA 24019

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

SIGNATURE of Assignee of Record

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

Signature		Date	07/15/2008
Name	Ronald D. Blum	Telephone	540-777-6550
Title	President & CEO		

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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STATEMENT UNDER 37 CFR 3.73(c)Applicant/Patent Owner: William Kokonaski et al.Application No./Patent No.: Continuation of USSN 12/834,526Filed/Issue Date: December 24, 2012Titled: ELECTRONIC EYEGLASS FRAME

PixelOptics, Inc.

, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose one of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest; or
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
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A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 024760, Frame 0807, or for which a copy therefore is attached.B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/James E. Golladay/

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James E. Golladay

Printed or Typed Name
Attorney 58,182

Title

December 24, 2012

Date
(202) 508-5800

Telephone Number

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLOSS FRAME		
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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City	Roanoke	State/Province	VA		
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Address 2					
City	Roanoke	State/Province	VA		
Postal Code	24019	Country ⁱ	US		
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Prefix	Given Name	Middle Name	Family Name	Suffix	
	Tiziano		Tabacchi		
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service					

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLOSS FRAME		

City	Pieve di Cadore	Country of Residence	IT
------	-----------------	----------------------	----

Mailing Address of Inventor:

Address 1	5241 Valleyark Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US

Inventor 4

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Martin		Boch	

Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service

City	Kieselbronn	Country of Residence	DE
------	-------------	----------------------	----

Mailing Address of Inventor:

Address 1	5241 Valleyark Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US

Inventor 5

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Massimo		Pinazza	

Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service

City	Pieve di Cardore	Country of Residence	IT
------	------------------	----------------------	----

Mailing Address of Inventor:

Address 1	5241 Valleyark Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US

Inventor 6

Remove

Legal Name

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLOSS FRAME		

Prefix	Given Name	Middle Name	Family Name	Suffix
	Scott	N.	Richman	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Irvine	State/Province	CA	Country of Residence i US

Mailing Address of Inventor:

Address 1	5241 ValleyPark Drive			
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country i	US	

Inventor 7

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Volkan		Ozguz	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Aliso Viejo	State/Province	CA	Country of Residence i US

Mailing Address of Inventor:

Address 1	5241 ValleyPark Drive			
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country i	US	

Inventor 8

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Joshua	N.	Haddock	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Roanoke	State/Province	VA	Country of Residence i US

Mailing Address of Inventor:

Address 1	5241 ValleyPark Drive			
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	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:

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLASS FRAME		

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	72162		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	ELECTRONIC EYEGLASS FRAME		
Attorney Docket Number	91904-818543 (004111US)	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)	18	Suggested Figure for Publication (if any)	

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

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

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	72162		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

Prior Application Status	Pending	Remove
--------------------------	---------	---------------------------------------

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLOSS FRAME		

Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	12834526	2010-07-12
Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12834526	Continuation of	12054299	2008-03-24
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60796876	2006-05-03
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60924225	2007-05-04
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60929419	2007-06-26
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60854677	2006-10-27
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60929991	2007-07-20
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60978517	2007-10-09
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60978517	2007-10-09
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60929419	2007-06-26
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).

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLASS FRAME		

			Remove
Application Number	Country ⁱ	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

Authorization to Permit Access:

☐ Authorization to Permit Access to the Instant Application by the 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), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant 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, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application. In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 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 instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application. In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.	
Applicant 1	
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.	
Remove	
☒ Assignee	☐ Legal Representative under 35 U.S.C. 117
☐ Person to whom the inventor is obligated to assign.	☐ Person who shows sufficient proprietary interest
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:	

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-818543 (004111US)
		Application Number	
Title of Invention	ELECTRONIC EYEGLOSS FRAME		

Name of the Deceased or Legally Incapacitated Inventor :			
If the Assignee is an Organization check here. ☒			
Organization Name	PixelOptics, Inc.		
Mailing Address Information:			
Address 1	5241 Valleypark Drive		
Address 2			
City	Roanoke	State/Province	VA
Country i	US	Postal Code	24019
Phone Number		Fax Number	
Email Address			

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

Add

Signature:

Remove

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications					
Signature	/James E. Golladay/			Date (YYYY-MM-DD)	2012-12-24
First Name	James	Last Name	Golladay	Registration Number	58182
Additional Signature may be generated within this form by selecting the Add button.					Add

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.

Electronic Acknowledgement Receipt

EFS ID:	14554038
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	72162
Filer:	James Emerson Golladay II/Jane Fallgren
Filer Authorized By:	James Emerson Golladay II
Attorney Docket Number:	91904-818543(004111US)
Receipt Date:	24-DEC-2012
Filing Date:	
Time Stamp:	09:50:24
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Preliminary_Amendment.pdf	108711 603ef93db31330c9c3336a930b1ccc4c1302505a	yes	7

	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Preliminary Amendment		1	1	
	Specification		2	2	
	Claims		3	6	
	Applicant Arguments/Remarks Made in an Amendment		7	7	
Warnings:					
Information:					
2		SPEC_CLMS_ABST_DWGS.pdf	1235079 b5c98702651c9877a3b479ef0fb832a902b744d	yes	34
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	14	
	Claims		15	15	
	Abstract		16	16	
	Drawings-only black and white line drawings		17	34	
Warnings:					
Information:					
3	Oath or Declaration filed	Declaration.pdf	183487 b4458aabe477179d52737076b484ba8b3f937bdd	no	9
Warnings:					
Information:					
4	Power of Attorney	POA.pdf	86731 5abf7784c19ae585e073e1330883b96e7c77351d	no	1
Warnings:					
Information:					
5	Assignee showing of ownership per 37 CFR 3.73.	STATEMENT_UNDER_37CFR_373b.pdf	129415 00268f43c191c448a67564492b8ea4490189d19c	no	1
Warnings:					
Information:					

6	Application Data Sheet	ADS_818543.pdf	1401136 c1451aa4e951ad4c17359cc8bd0b27042d12ee32	no	8
Warnings:					
Information:					
Total Files Size (in bytes):				3144559	
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.					

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name.

I believe that I am the original and first sole inventor or an original and first joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ELECTRONIC EYEGLOSS FRAME

the Specification of which

☐ is attached hereto
☒ was filed on **March 24, 2008**
as United States Application Number or PCT International
Application No. 12/054,299
and was amended on _____ (if applicable).

I hereby authorize and request my attorneys, as appointed below, to insert above the filing date and application number of said application when known.

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

I acknowledge the duty to disclose information known to me 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.

I hereby claim priority under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FILED APPLICATION(S)

<u>APPLICATION NUMBER</u>	<u>COUNTRY</u>	<u>(DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY CLAIMED</u>
60/924,225	US	04-MAY-2007	YES
60/929,419	US	26-JUNE-2007	YES

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by

the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NO.	FILING DATE (DAY/MONTH/YEAR)	STATUS – PATENTED, PENDING, ABANDONED
11/797,210	01-MAY-2007	PENDING
11/976,199	22-OCTOBER-2007	PENDING

Please address all correspondence regarding this application to:

PEARL COHEN ZEDEK LATZER, LLP
1500 BROADWAY, 12TH FLOOR
NEW YORK, NEW YORK 10036

Direct all telephone calls to (646) 878-0800 and all facsimiles to (646) 878-0801.

I hereby appoint practitioners associated with **Customer Number 49443** as my attorney(s) and agent(s) with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR: **KOKONASKI, William**

FULL RESIDENCE ADDRESS: **1807 44th Street Court, NW, Gig Harbor, WA 98335**

COUNTRY OF CITIZENSHIP: **USA**

FULL POST OFFICE ADDRESS: **same**

SIGNATURE OF INVENTOR 

DATE 14 / 05 / 2008
(day / month / year)

FULL NAME OF INVENTOR: **BLUM, Ronald D.**

FULL RESIDENCE ADDRESS: **5320 Silver Fox Road, Roanoke, VA 24018**

COUNTRY OF CITIZENSHIP: **USA**

FULL POST OFFICE ADDRESS: **same**

SIGNATURE OF INVENTOR _____

DATE _____

(day / month / year)

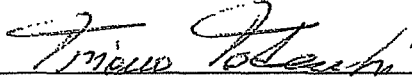
FULL NAME OF INVENTOR: **TABACCHI, Tiziano**

FULL RESIDENCE ADDRESS: **Pieve di Cadore, Italy**

COUNTRY OF CITIZENSHIP: **Italy**

FULL POST OFFICE ADDRESS: **same**

SIGNATURE OF INVENTOR



DATE

15/05/2008

(day / month / year)

FULL NAME OF INVENTOR: **BOCH, Martin**

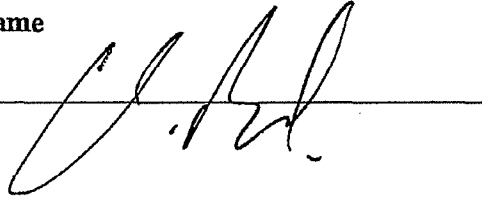
FULL RESIDENCE ADDRESS: **D-75249 Kieselbronn, Albert-Schweitzer Str.22,
Germany**

COUNTRY OF CITIZENSHIP: **Germany**

FULL POST OFFICE ADDRESS: **same**

SIGNATURE OF INVENTOR _____

DATE **26/05/2008**
(day / month / year)

A handwritten signature in black ink, appearing to be 'M. Boch', written over a horizontal line.

FULL NAME OF INVENTOR: **PINAZZA, Massimo**

FULL RESIDENCE ADDRESS: **Pieve di Cadore, Italy**

COUNTRY OF CITIZENSHIP: **Italy**

FULL POST OFFICE ADDRESS: **same**

SIGNATURE OF INVENTOR *m Pinazza*

DATE 15/05/2008
(day / month / year)

FULL NAME OF INVENTOR: RICHMAN, Scott N.

FULL RESIDENCE ADDRESS: 56 Giorgio, Irvine, CA 92602, USA

COUNTRY OF CITIZENSHIP: USA

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR 

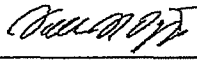
DATE 02 / 06 / 08
(day / month / year)

FULL NAME OF INVENTOR: OZGUZ, Volkan

FULL RESIDENCE ADDRESS: 34 Lyon Ridge, Aliso Viejo, CA 92656

COUNTRY OF CITIZENSHIP: US

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR  _____

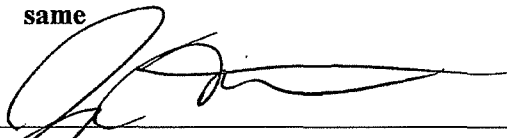
DATE 05/28/2008
(day / month / year)

FULL NAME OF INVENTOR: **HADDOCK, Joshua N.**

FULL RESIDENCE ADDRESS: **17 Church Avenue SW, Apt 202, Roanoke, VA 24011**

COUNTRY OF CITIZENSHIP: **USA**

FULL POST OFFICE ADDRESS: **same**

SIGNATURE OF INVENTOR 

DATE 14 / 05 / 2008
(day / month / year)



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	91904-818543 (004111US)

CONFIRMATION NO. 8190

FORMALITIES LETTER



72162
KILPATRICK TOWNSEND & STOCKTON, LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

Date Mailed: 02/08/2013

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

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

- The statutory basic filing fee is missing.
Applicant must submit \$390 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).

The applicant needs to satisfy supplemental fees problems indicated below.

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

- Additional claim fees of \$ **186** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- A surcharge (for late submission of the basic filing fee, search fee, examination fee or inventor's oath or declaration) as set forth in 37 CFR 1.16(f) of \$ **130** for a non-small entity, must be submitted.

SUMMARY OF FEES DUE:

Total fee(s) required within **TWO MONTHS** from the date of this Notice is \$ **1576** for a non-small entity

- \$ **390** Statutory basic filing fee.
- \$ **130** Surcharge.
- The application search fee has not been paid. Applicant must submit \$ **620** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit \$ **250** to complete the examination fee for a non-small entity.
- Total additional claim fee(s) for this application is \$ **186**
 - \$ **186** for **3** total claims over 20.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

A new inventor's oath or declaration that identifies this application (e.g., by Application Number and filing date) is required. The inventor's oath or declaration does not comply with 37 CFR 1.63 in that it:

- does not state that the above-identified application was made or authorized to be made by the person executing the oath or declaration.

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

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

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/kung/

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/726,267	12/24/2012	2872	0.00	91904-818543 (004111US)	23	2

CONFIRMATION NO. 8190

72162
KILPATRICK TOWNSEND & STOCKTON, LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

FILING RECEIPT



Date Mailed: 02/08/2013

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

Inventor(s)

William Kokonaski, Gig Harbor, WA;
Ronald D. Blum, Roanoke, VA;
Tiziano Tabacchi, Pieve di Cadore, ITALY;
Martin Boch, Kieselbronn, GERMANY;
Massimo Pinazza, Pieve di Cardore, ITALY;
Scott N. Richman, Irvine, CA;
Volkan Ozguz, Aliso Viejo, CA;
Joshua N. Haddock, Roanoke, VA;

Applicant(s)

PixelOptics, Inc., Roanoke, VA

Assignment For Published Patent Application

PIXELOPTICS, INC., Roanoke, VA

Power of Attorney: The patent practitioners associated with Customer Number 72162

Domestic Priority data as claimed by applicant

This application is a CON of 12/834,526 07/12/2010 PAT 8337014
which is a CON of 12/054,299 03/24/2008 ABN
which claims benefit of 60/924,225 05/04/2007
and claims benefit of 60/929,419 06/26/2007
and claims benefit of 60/929,991 07/20/2007
and claims benefit of 60/978,517 10/09/2007
and claims benefit of 60/929,419 06/26/2007

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 02/07/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/726,267**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

ELECTRONIC EYEGLOSS FRAME

Preliminary Class

351

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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

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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 U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/726,267	
APPLICATION AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	390
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	620
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	250
TOTAL CLAIMS (37 CFR 1.16(j))	23	minus 20 = *	3			x 62 =	186
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2	minus 3 = *				x 250 =	0.00
APPLICATION SIZE FEE (37 CFR 1.16(s)) If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							0.00
							0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL		TOTAL	1446
APPLICATION AS AMENDED - PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)
	Total (37 CFR 1.16(i))	*	Minus **	=	x =		x =
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =		x =
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)
	Total (37 CFR 1.16(i))	*	Minus **	=	x =		x =
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =		x =
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.							



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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	91904-818543 (004111US)

CONFIRMATION NO. 8190

POA ACCEPTANCE LETTER

72162
KILPATRICK TOWNSEND & STOCKTON, LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834



Date Mailed: 02/08/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 12/24/2012.

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.

/eayele/

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

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	1	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-2,437,642	03-1948	HENROLEAU	
	AB	US-2,576,581	11-1951	EDWARDS	
	AC	US-2002/0140899	10-2002	BLUM et al.	
	AD	US-2002/0149739	10-2002	PERROTT et al.	
	AE	US-2002/0186346	12-2002	STANTZ et al.	
	AF	US-2003/0018383	01-2003	AZAR	
	AG	US-2003/0151721	08-2003	LAI et al.	
	AH	US-2003/0210377	11-13-2003	BLUM et al.	
	AI	US-2004/0000733	01-01-2004	SWAB et al.	
	AJ	US-2004/0008319	01-2004	LAI et al.	
	AK	US-2004/0108971	06-2004	WALDERN et al.	
	AL	US-2004/0117011	06-2004	AHARONI et al.	
	AM	US-2004/0130677	07-2004	LIANG et al.	
	AN	US-2004/0179280	09-2004	NISHIOKA	
	AO	US-2004/0196435	10-2004	DICK et al.	
	AP	US-2004/0246440	12-2004	ANDINO et al.	
	AQ	US-2005/0073739	04-2005	MEREDITH	
	AR	US-2005/0078274	Apr. 14, 2005	HOWELL et al.	
	AS	US-2005/0124983	06-09-2005	FREY et al.	
	AT	US-2005/0140924	06-30-2005	BLUM et al.	
	AU	US-2005/0264752	12-1-2005	HOWELL et al.	
	AV	US-2005/0270479	12-08-2005	CANAVAN et al.	
	AW	US-2005/0078274	04-14-2005	HOWELL et al.	
	AX	US-2006/0001827	01-05-2006	HOWELL et al.	
	AY	US-2006/0023158	02-02-2006	HOWELL et al.	
	AZ	US-2006/0092340	05-04-2006	BLUM et al.	
	BA	US-2006/0203186	09-14-2006	IFERGAN et al.	
	BB	US-2006/044510	03-2006	WILLIAMS et al.	
	BC	US-2007/0258039	11-08-2007	DUSTON et al.	
Examiner Signature				Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

KILPATRICK TOWNSEND 64893414 1

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	2	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	BD	US-2010/0271588	10/28/10	KOKONASKI et al.	
	BE	US-3,161,718	12-1964	De LUCA	
	BF	US-3,245,315	04-1966	MARKS et al.	
	BG	US-3,309,162	03-1967	KOSANKE et al.	
	BH	US-3,614,215	10-1971	MACKTA	
	BI	US-3,738,734	06-1973	TAIT et al.	
	BJ	US-3,791,719	02-1974	KRATZER et al.	
	BK	US-4,062,629	12-13-1977	WINTHROP	
	BL	US-4,152,846	05-08-1979	WITT	
	BM	US-4,174,156	11-1979	GLORIEUX	
	BN	US-4,181,408	01-1980	SENDERS	
	BO	US-4,190,330	02-1980	BERREMAN	
	BP	US-4,264,154	04-1981	PETERSEN	
	BQ	US-4,279,474	07-1981	BELGOROD	
	BR	US-4,300,818	11-1981	SCHACHAR	
	BS	US-4,373,218	02-1983	SCHACHAR	
	BT	US-4,395,736	07-1983	FRALEUX	
	BU	US-4,418,990	12-1983	GERBER	
	BV	US-4,423,929	01-1984	GOMI	
	BW	US-4,457,585	07-1984	DuCORDAY	
	BX	US-4,461,550	07-24-1984	LEGENDRE	
	BY	US-4,466,703	08-1994	NISHIMOTO	
	BZ	US-4,466,706	08-1984	LAMOTHE, II	
	CA	US-4,529,268	07-1985	BROWN	
	CB	US-4,537,479	08-27-1985	SHINOHARA et al.	
	CC	US-4,564,267	01-1986	NISHIMOTO	
	CD	US-4,572,616	02-1986	KOWElet al.	
	CE	US-4,577,928	03-1986	BROWN	
	CF	US-4,601,545	07-1986	KERN	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

KILPATRICK TOWNSEND 64893414 1

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	3	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	CG	US-4,609,824	09-1986	MUNIER et al.	
	CH	US-4,712,870	12-1987	ROBINSON et al.	
	CI	US-4,756,605	07-12-1988	OKADA et al.	
	CJ	US-4,772,094	09-1988	SHEIMAN	
	CK	US-4,787,733	11-1988	SILVA	
	CL	US-4,787,903	11-29-1988	GREND AHL	
	CM	US-4,795,248	01-03-1989	OKADA et al.	
	CN	US-4,813,777	03-1989	RAINVILLE et al.	
	CO	US-4,818,095	04/1989	TAKEUCHI	
	CP	US-4,836,652	06-1989	OISHI et al.	
	CQ	US-4,842,400	06-1989	KLEIN	
	CR	US-4,880,300	11-1989	PAYNER et al.	
	CS	US-4,890,903	01-02-1990	TREISMAN et al.	
	CT	US-4,904,063	02-27-1990	OKADA et al.	
	CU	US-4,907,860	03-1990	NOBLE	
	CV	US-4,909,626	03-20-1990	PURVIS et al.	
	CW	US-4,919,520	04-24-1990	OKADA et al.	
	CX	US-4,921,728	05-1990	TAKIGUCHI	
	CY	US-4,927,241	05-1990	KUIJK	
	CZ	US-4,929,865	05-1990	BLUM	
	DA	US-4,930,884	06-1990	TICHENOR et al.	
	DB	US-4,944,584	07-1990	MAEDA et al.	
	DC	US-4,945,242	07-1990	BERGER et al.	
	DD	US-4,952,788	08-1990	BERGER et al.	
	DE	US-4,955,712	09-11-1990	BARTH et al.	
	DF	US-4,958,907	09-1990	DAVIS	
	DG	US-4,961,639	10-1990	LAZARUS	
	DH	US-4,968,127	11-1990	RUSSELL et al.	
	DI	US-4,981,342	01-1991	FIALA	
Examiner Signature				Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

KILPATRICK TOWNSEND 64893414 1

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	4	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	DJ	US-4,991,951	02-12-1991	MIZUNO et al.	
	DK	US-5,015,086	05-1991	OKAUE et al.	
	DL	US-5,030,882	07-1991	SOLERO	
	DM	US-5,050,981	09-1991	ROFFMAN	
	DN	US-5,066,301	11-1991	WILEY	
	DO	US-5,067,795	11-26-1991	SENATORE	
	DP	US-5,073,021	12-1991	MARRON	
	DQ	US-5,076,665	12-1991	PETERSEN	
	DR	US-5,089,023	02-1992	SWANSON	
	DS	US-5,091,801	02-1992	EBSTEIN	
	DT	US-5,108,169	04-1992	MANDELL	
	DU	US-5,114,628	05-1992	HOFER et al.	
	DV	US-5,130,856	07-1992	TICHENOR et al.	
	DW	US-5,142,411	08-1992	FIALA	
	DX	US-5,150,234	09-1992	TAKAHASHI et al.	
	DY	US-5,171,266	12-1992	WILEY et al.	
	DZ	US-5,182,585	01-26-1993	STONER	
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	EL	US-5,359,444	10-25-1994	PIOSENKA et al.	
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				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	EN	US-5,382,986	01-1995	BLACKet al.	
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	FZ	US-6,095,651	8-2000	WILLIAMS et al.	
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				Art Unit	2872
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	GT	US-6,554,425	04-2003	ROFFMAN et al.	
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	HD	US-6,709,105	03-23-2004	MENEZES	
	HE	US-6,709,108	03-2004	LEVINE et al.	
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	HL	US-6,851,805	02-2005	BLUM et al.	
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	HT	US-6,955,433	10-18-2005	WOOLEY et al.	
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				First Named Inventor	William Kokonaski
				Art Unit	2872
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	IM	EP	0237365		09-16-1987	ARQUES		☐
	IN	EP	0233104		08-19-1987	ARQUES		☐
	IO	EP	0154962		09-18-1985	SHIMADA et al.		☐
	IP	GB	2169417		07-09-1987	OKADA et al.		☐
	IQ	GB	2170613		08-06-1986	OKADA et al.		☐
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	IW	CN	ROC89113088		10/21/01	BLUM et al.		
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	JD	EP	0 649 044		04-19-1995	Citizen Watch Co. Ltd.		
	JE	EP	0 027 339		04-22-1981	Wiseman Ltd. UK		
	JF	JP	61177429		08-09-1986	Olympus Optical Co.		
	JG	EP	0 308 705		03-29-1989	Allergan Inc.		
	JH	EP	0 225 034		06-10-1987	EWER		

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				Art Unit	2872
				Examiner Name	TBA
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	JJ	THIBOS, LARRY N., et. al.; Vision through a liquid-crystal spatial light modulator; Adaptive Optics Conference; 1999; Durham, UK	☐
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	JT	LAZARUS, STUART M.; The Use of Yoked Base-Up and Base-In Prism for Reducing Eye Strain at the Computer; Journal of the American Optometric Association, April 1996	
	JU	Eyecare Business, October 1997	
	JV	Copy of the U.S. Application No. 12/054,299 filed March 24, 2008	
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	JX	Copy of the U.S. Provisional Application No. 60/924,225 filed on May 4, 2007	
	JY	Copy of the U.S. Provisional Application No. 60/929,419 filed on June 26, 2007	
	JZ	Copy of the U.S. Provisional Applications No. 60/854,697 filed on October 27, 2006	
	JAA	Copy of the U.S. Provisional Applications No. 60/854,677 filed on October 27, 2006	
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	JCC	Copy of the U.S. Provisional Application No. 60/978,517, filed on October 9, 2007	

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

KILPATRICK TOWNSEND 64893414 1

Electronic Acknowledgement Receipt

EFS ID:	15358796
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	72162
Filer:	John P. McGroarty/Aneta Xhiku
Filer Authorized By:	John P. McGroarty
Attorney Docket Number:	91904-818543 (004111US)
Receipt Date:	26-MAR-2013
Filing Date:	24-DEC-2012
Time Stamp:	17:05:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		2013_03_26_IDS_91904-818543.pdf	260326 eb4513ed842adb30bd06930874b842a2c663ef59	yes	14

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Transmittal Letter	1	2
	Information Disclosure Statement (IDS) Form (SB08)	3	14
Warnings:			
Information:			
Total Files Size (in bytes):		260326	
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.			

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on 3/26/13.

KILPATRICK TOWNSEND & STOCKTON LLP

By: Aneta Mihali Xhiku

PATENT
Attorney Docket No.: 91904-818543
(004111US)
Client Reference No.: P70890-US1-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William Kokonaski

Application No.: 13/726,267

Filed: December 24, 2012

For: ELECTRONIC EYEGLASS
FRAME

Customer No.: 72162

Confirmation No.: 8190

Examiner: TBA

Art Unit: 2872

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

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

Commissioner:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 37 CFR § 1.98(a)(2)] are not enclosed as references are already provided in the parent U.S. Application number 12/834,526 filed on July 12, 2010. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants further call to the attention of the Examiner the prosecution histories of the U.S. Patent Applications listed in the attached Form PTO/SB/08A&B. These prosecution

histories are not enclosed because they are believed to be available on PAIR and readily accessible to the Examiner.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

/John P. McGroarty/

John P. McGroarty
Reg. No. 41,186

KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 202-481-9900
Fax: 202-481-3972
JPM:amx

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

Title of Invention	ELECTRONIC EYEGLOSS FRAME
-----------------------	---------------------------

As the below named inventor, I hereby declare that:

This declaration
is directed to: ☐ The attached application, or

☒ United States application or PCT international application number 13/726,267
filed on December 24, 2012

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

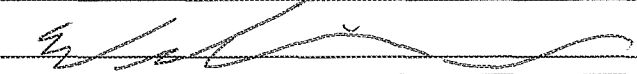
I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001
by fine or imprisonment of not more than five (5) years, or both.

WARNING:

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

LEGAL NAME OF INVENTOR

Inventor: William Kokonaski Date (Optional): 3/22/13

Signature: 

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

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

Title of
Invention

ELECTRONIC EYEGLASS FRAME

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This declaration

is directed to:

☐ The attached application, or

☒ United States application or PCT international application number 13/726,267
filed on December 24, 2012

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

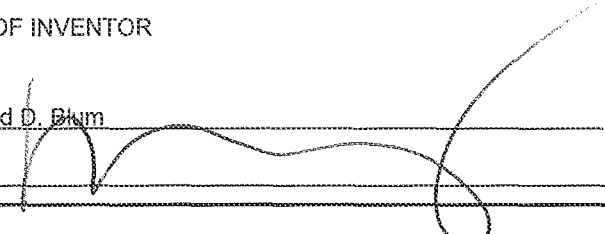
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LEGAL NAME OF INVENTOR

Inventor: Ronald D. Blum

Date (Optional): 3/29/13

Signature: 

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

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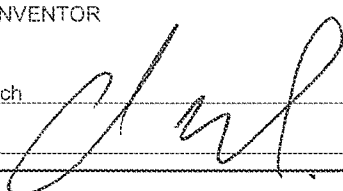
**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	ELECTRONIC EYEGLASS FRAME
As the below named inventor, I hereby declare that: This declaration is directed to: ☐ The attached application, or ☒ United States application or PCT International application number <u>13/725,267</u> filed on <u>December 24, 2012</u> The above-identified application was made or authorized to be made by me. I believe that I am the original inventor or an original joint inventor of a claimed invention in the application. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. LEGAL NAME OF INVENTOR Inventor: <u>Tiziano Tabacchi</u> Date (Optional): <u>05/04/2013</u> Signature: <u>Tiziano Tabacchi</u> Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/AIA/01 form for each additional inventor.	

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LEGAL NAME OF INVENTOR Inventor: <u>Martin Boch</u> Date (Optional): <u>08/04/2013</u> Signature: 	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/AIA/01 form for each additional inventor.	

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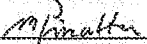
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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☒ United States application or PCT international application number <u>13/726,267</u> filed on <u>December 24, 2012</u>	
The above-identified application was made or authorized to be made by me.	
I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.	
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LEGAL NAME OF INVENTOR	
Inventor: <u>Massimo Pinazza</u> Date (Optional): _____	
Signature: <u></u>	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/AIA/01 form for each additional inventor.	

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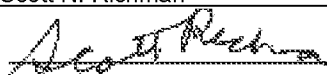
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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
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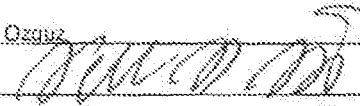
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LEGAL NAME OF INVENTOR Inventor: <u>Scott N. Richman</u> Date (Optional) : <u>04/14/2013</u> Signature: <u></u>	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/AIA/01 form for each additional inventor.	

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LEGAL NAME OF INVENTOR	
Inventor: <u>Volkan Ozgur</u> Date (Optional): <u>9 April 2013</u>	
Signature: <u></u>	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/AIA/01 form for each additional inventor.	

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I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001
by fine or imprisonment of not more than five (5) years, or both.

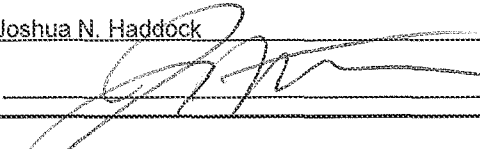
WARNING:

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

LEGAL NAME OF INVENTOR

Inventor: Joshua N. Haddock

Date (Optional): 3/22/2013

Signature: 

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

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Electronic Patent Application Fee Transmittal				
Application Number:		13726267		
Filing Date:		24-Dec-2012		
Title of Invention:		ELECTRONIC EYEGLOSS FRAME		
First Named Inventor/Applicant Name:		William Kokonaski		
Filer:		James Emerson Golladay II/Sharon Eurich		
Attorney Docket Number:		91904-818543 (004111US)		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility application filing	1011	1	280	280
Utility Search Fee	1111	1	600	600
Utility Examination Fee	1311	1	720	720
Pages:				
Claims:				
Claims in Excess of 20	1202	3	80	240
Miscellaneous-Filing:				
Late Filing Fee for Oath or Declaration	1051	1	140	140

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1980

Electronic Acknowledgement Receipt

EFS ID:	15556542
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	72162
Filer:	James Emerson Golladay II/Sharon Eurich
Filer Authorized By:	James Emerson Golladay II
Attorney Docket Number:	91904-818543 (004111US)
Receipt Date:	18-APR-2013
Filing Date:	24-DEC-2012
Time Stamp:	16:23:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1980
RAM confirmation Number	3114
Deposit Account	201430
Authorized User	GOLLADAY, JAMES

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

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		2013_04_18_RESP_DEC_91904_818543pdf.pdf	2595463 822040407c595c2802a4c995afab3551506e7125	yes	10
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Applicant Response to Pre-Exam Formalities Notice		1	2	
	Oath or Declaration filed		3	10	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	38570 803357233886a1bb7a2a98a2685e2188e6913cb8	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2634033		
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.					

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on April 18, 2013.

PATENT
Attorney Docket No.: 91904-818543 (004111US)
Client Ref. No.: 70890-US2US

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Sharon D. Eurich/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William Kokonaski	Confirmation No. 8190
Application No.: 13/726,267	Examiner: TBA
Filed: December 24, 2012	Technology Center/Art Unit: TBA
For: ELECTRONIC EYEGLASS FRAME	RESPONSE TO NOTICE TO FILE MISSING PARTS
Customer No. 72162	

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

Commissioner:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated February 8, 2013, enclosed are the following to be made of record in the above identified application:

1) Executed Declarations

Payment in the following amount is herewith submitted:

Large Entity:	(a) Filing Fee	\$390
	(b) Search Fee	\$620
	(c) Examination Fee	\$250
	(d) Application Size Fee	\$0
	(e) Excess Claims Fees (§ 1.16(b),(c)):	\$186
	3 total claims over 20	

(f) Missing Parts Surcharge \$130

TOTAL \$1576

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pending of this application, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,

/James E. Golladay/

James E. Golladay
Registration No. 58,182

KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 202-481-9950
Fax: 415-576-0300
Attachments
JEG/sde

2-2-13
2-2-13
2-2-13

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on April 18, 2013

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Sharon D. Enrich/

PATENT
Attorney Docket No.: 91904-818543 (004111US)
Client Ref. No.: 70890-US2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William Kokonaski	Confirmation No. 8190
Application No.: 13/726,267	Examiner: TBA
Filed: December 24, 2012	Technology Center/Art Unit: TBA
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	(d) Application Size Fee	\$0
	(e) Excess Claims Fees (§ 1.16(b),(c)):	\$186

3 total claims over 20

04/26/2013 NTEKLENI 00000006 201430 13726267
01 FC:1251 200.00 DA

(f) Missing Parts Surcharge

\$130

TOTAL \$1576

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pending of this application, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,

/James E. Golladay/

James E. Golladay
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KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 202-481-9950
Fax: 415-576-0300
Attachments
JEG/sdc

KILPATRICK TOWNSEND 65367167 1

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/726,267				
APPLICATION AS FILED - PART I										
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY				
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)			
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	280			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	600			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	720			
TOTAL CLAIMS (37 CFR 1.16(j))	23 minus 20 =	*				x 80 =	240			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	*				x 420 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL		TOTAL	1840			
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(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x =			x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =			x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE			TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x =			x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =			x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE			TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.										



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/726,267	12/24/2012	2872	1980	91904-818543 (004111US)	23	2

CONFIRMATION NO. 8190

UPDATED FILING RECEIPT



72162
KILPATRICK TOWNSEND & STOCKTON, LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

Date Mailed: 05/01/2013

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

Inventor(s)

William Kokonaski, Gig Harbor, WA;
Ronald D. Blum, Roanoke, VA;
Tiziano Tabacchi, Pieve di Cadore, ITALY;
Martin Boch, Kieselbronn, GERMANY;
Massimo Pinazza, Pieve di Cardore, ITALY;
Scott N. Richman, Irvine, CA;
Volkan Ozguz, Aliso Viejo, CA;
Joshua N. Haddock, Roanoke, VA;

Applicant(s)

PixelOptics, Inc., Roanoke, VA

Assignment For Published Patent Application

PIXELOPTICS, INC., Roanoke, VA

Power of Attorney: The patent practitioners associated with Customer Number 72162

Domestic Priority data as claimed by applicant

This application is a CON of 12/834,526 07/12/2010 PAT 8337014
which is a CON of 12/054,299 03/24/2008 ABN
which claims benefit of 60/924,225 05/04/2007
and claims benefit of 60/929,419 06/26/2007
and claims benefit of 60/929,991 07/20/2007
and claims benefit of 60/978,517 10/09/2007
and claims benefit of 60/929,419 06/26/2007

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 02/07/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/726,267**

Projected Publication Date: 08/08/2013

Non-Publication Request: No

Early Publication Request: No
Title

ELECTRONIC EYEGLASS FRAME

Preliminary Class

351

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications:

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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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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

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

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

NOT GRANTED

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

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technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	91904-818543 (004111US)	8190

72162 7590 06/11/2013
KILPATRICK TOWNSEND & STOCKTON, LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

EXAMINER

DANG, HUNG XUAN

ART UNIT	PAPER NUMBER
----------	--------------

2872

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

06/11/2013

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):

ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

Office Action Summary	Application No. 13/726,267	Applicant(s) KOKONASKI ET AL.	
	Examiner HUNG DANG	Art Unit 2872	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 13-35 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) 13-35 is/are rejected.
- 8) ☐ Claim(s) _____ is/are objected to.
- 9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

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

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Interim copies:

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

Attachment(s)

- | | |
|--|---|
| 1) ☐ Notice of References Cited (PTO-892) | 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/26/13</u> | 4) ☐ Other: _____ |

Information Disclosure Statement

The prior art documents submitted by applicant in the Information disclosure Statements filed on 3/26/13 has been considered and made of record (noted attached copy of form PTO-1449).

Claims Rejection Under 35 USC - 103

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

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

Claims 13-17, 19-25, and 27-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Blum et al** (6,491,394) in view of **Krulevitch et al** (7,030,411)

Regarding claims 13-17, 19-25, and 27-35, Blum et al discloses method for refracting and dispensing electro-active spectacles comprises a frame; electro-active lenses mounted in the frame, the electro-active lenses capable of changing tint upon receipt of an electronic signal; c) a manual switch located on the frame that, when activated, sends an electronic signal to the electro-active lenses to change their tint; wherein the manual switch (see column 28 and column 29, lines 4-14) extends from the frame. (see figures 1-28 and the related disclosure.)

Blum et al does not disclose a sealed moisture resistant module attached to the frame, wherein the module comprises any two of: a power source, a driving circuit, and a sensing mechanism.

Krulevitch et al, however, discloses that a sealed moisture resistant module (100) attached to the eyeglass frame, wherein the module comprises any two of: a power source, a driving circuit, and a sensing mechanism. (See figures 1, 4 and columns 5, line 64 to column 7, line 12 and the related disclosure)

Because Blum et al and Krulevitch et al are both from the same field of endeavor, the purpose of protecting the device from environment as disclosed by Krulevitch et al would have been recognized as an art pertinent art of Blum et al.

It would have been obvious, therefore, at the time the invention was made to a person having skill in the art to construct the eyeglasses frame, such as the one disclosed by Blum et al, with a sealed moisture resistant module (100) attached to the eyeglass frame, wherein the module comprises any two of: a power source, a driving circuit, and a sensing mechanism, such as disclosed by Krulevitch et al for the purpose of protecting the device from environment.

Basis For Non-Statutory Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225

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USPQ 645 (Fed. Cir. 1985); *In re Van Omum*, 686 F.2d 937,214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

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

Obviousness Type Double Patenting

Claims 13-35 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent No. 8,337,014 (Kokonashi et al). Although the conflicting claims are not identical, they are not patentably distinct from each other because all elements claimed in claims 13-35 in the present patent application are included in claims 1-30 of U.S. Patent No. 8,337,014 (Kokonashi et al). The claims in the instant application are broader than those of the U.S. Patent No. 8,337,014 (Kokonashi et al); therefore any apparatus meeting the limitations of the U.S. Patent No. 8,337,014 (Kokonashi et al) would necessarily meet those of the instant application.

Allowable Subject Matter

Claims 18 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG DANG whose telephone number is (571)272-2326. The examiner can normally be reached on Monday to Friday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack, can be reached on 571-272-2333. 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).

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/Hung X Dang/

Primary Examiner, Art Unit 2873

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	1	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
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	AT	US-2005/0140924	06-30-2005	BLUM et al.	
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	BC	US-2007/0258039	11-08-2007	DUSTON et al.	
Examiner Signature	/Hung Dang/ (06/04/2013)			Date Considered	06/04/2013

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	GR	US-6,491,394	12-10-2002	BLUM et al.	
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KILPATRICK TOWNSEND 64893414 1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /H.D./

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	7	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	GS	US-6,501,443	12-2002	McMAHON	
	GT	US-6,554,425	04-2003	ROFFMAN et al.	
	GU	US-6,607,271	08-19-2003	BAR et al.	
	GV	US-6,609,794	08-2003	LEVINE	
	GW	US-6,614,408	09-2003	MANN	
	GX	US-6,616,275	09-2003	DICK et al.	
	GY	US-6,616,279	09-2003	DAVIS et al.	
	GZ	US-6,618,208	09-09-2003	SILVER	
	HA	US-6,626,532	09-2003	NISHIOKA et al.	
	HB	US-6,631,001	10-2003	KUISEKO	
	HC	US-6,682,195	01-2004	DREHER	
	HD	US-6,709,105	03-23-2004	MENEZES	
	HE	US-6,709,108	03-2004	LEVINE et al.	
	HF	US-6,738,199	05-18-2004	NISHIOKA	
	HG	US-6,768,536	07-2004	OKUWAKI et al.	
	HH	US-6,774,871	08-10-2004	BIRDWELL	
	HI	US-6,778,246	08-2004	SUN et al.	
	HJ	US-6,833,938	12-21-2004	NISHIOKA	
	HK	US-6,840,619	01-11-2005	DREHER	
	HL	US-6,851,805	02-2005	BLUM et al.	
	HM	US-6,871,951	03-29-2005	BLUM et al.	
	HN	US-6,883,916	04-26-2005	MENEZES	
	HO	US-6,886,938	05-03-2005	MENEZES	
	HP	US-6,893,124	05-17-2005	KURTIN	
	HQ	US-6,918,670	07-19-2005	BLUM et al.	
	HR	US-6,948,818	09-27-2005	WILLIAMS et al.	
	HS	US-6,951,391	10-2005	MORRIS et al.	
	HT	US-6,955,433	10-18-2005	WOOLEY et al.	
	HU	US-6,956,682	10-18-2005	WOOLEY	
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		Number Kind Code ² (if known)			
	HV	US-6,986,579	01-17-2006	BLUM et al.	
	HW	US-7,008,054	03-07-2006	KURTIN et al.	
	HX	US-7,009,757	03-07-2006	NISHIOKA et al.	
	HY	US-7,019,890	03-28-2006	MEREDITH et al.	
	HZ	US-7,041,133	05-09-2006	AZAR	
	IA	US-7,085,065	08-01-2006	SILVER	
	IB	US-7,090,348	08-15-2006	NASON et al.	
	IC	US-7,133,172	11-07-2006	NISHIOKA	
	ID	US-7,159,983	01-09-2007	MENEZES et al.	
	IE	US-7,229,173	06-12-2007	MENEZES et al.	
	IF	US-7,850,304	12/14/10	JACOBS et al.	
	IG	US-D298,250-S	10-1988	KILDALL	
	IH	US-D342,063-S	12-1993	HOWITT et al.	
	II	US-D350,342-S	09-1994	SACK	
	IJ	US-RE35,691-E	12-1997	THEIRL et al.	
	IK	US-2005/0248719	11-2005	HOWELL et al.	
	IL	US-7,030,411	04-2006	KRULEVITCH et al.	
	IM	US-8,337,014	12-25-2012	KOKONASKI et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	IM	EP	0237365		09-16-1987	ARQUES		☐
	IN	EP	0233104		08-19-1987	ARQUES		☐
	IO	EP	0154962		09-18-1985	SHIMADA et al.		☐
	IP	GB	2169417		07-09-1987	OKADA et al.		☐
	IQ	GB	2170613		08-06-1986	OKADA et al.		☐
	IR	JP	05-100201		04-23-1993	YOKOYAMA et al.		☐
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	IK	JP	1 237610		9-22-1989	YASUNOBU OTSUKO		
	IL	JP	11352445		12-09-1998	NISHIOKA		
	IM	JP	55-076323		06-09-1980	TOMITA		
	IN	WO	92/01417		02-06-1992	HOROWITZ		
	IO	WO	98/27863		07-02-1998	WILLIAMS, et al.		
	IP	WO	99/27334		06-03-1999	FREY et al.		
	IQ	WO	03/050472		06-19-2003	HOROWITZ		
	IR	WO	03/068059		08-21-2003	LAI et al.		
	IS	WO	04/008189		01-22-04	LAI et al.		
	IT	WO	04/015481		02-19-2004	DREHER et al.		
	IU	WO	04/034095		04-22-2004	LAI		
	IV	WO	04/072687		08-26-2004	BLUM, et al.		
	IW	CN	ROC89113088		10/21/01	BLUM et al.		
	JA	DE	4223395		01-13-1994	GRIMM et al.		
	JB	JP	61156227		07-15-1986	Olympus Optical Co.		
	JC	EP	0 578 833		01-19-1994	Seiko Epson Corp		
	JD	EP	0 649 044		04-19-1995	Citizen Watch Co. Ltd.		
	JE	EP	0 027 339		04-22-1981	Wiseman Ltd. UK		
	JF	JP	61177429		08-09-1986	Olympus Optical Co.		
	JG	EP	0 308 705		03-29-1989	Allergan Inc.		
	JH	EP	0 225 034		06-10-1987	EWER		

NON PATENT LITERATURE DOCUMENTS

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KILPATRICK TOWNSEND 64893414 1

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				Application Number	13/726,267
				Filing Date	December 24, 2012
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				Art Unit	2872
				Examiner Name	TBA
Sheet	10	of	12	Attorney Docket Number	91904-818543 (004111US)

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	JL	KOWEL, STEPHEN T., et. al; Focusing by electrical modulation of refraction in a liquid crystal cell; Applied Optics; 15 January 1984; Vol. 23, No.2	☐
	JJ	THIBOS, LARRY N., et. al.; Vision through a liquid-crystal spatial light modulator; Adaptive Optics Conference; 1999; Durham, UK	☐
	JK	Donald T. Miller, Xin Hong, and Larry N. Thibos, "Requirements for segmented spatial light modulators for diffraction-limited imaging through aberrated eyes," G.D. Love, ed. <i>Proceedings of the 2nd International Workshop on Adaptive Optics for Industry and Medicine</i> , World Scientific, Singapore, 63-68 (July 1999).	☐
	JL	THIBOS, LARRY N., et. al.; Use of Liquid-Crystal Adaptive-Optics to Alter the Refractive State of the Eye; Optometry and Vision Science; July 1997; Vol. 74, No. 7; American Academy of Optometry	☐
	JM	THIBOS, LARRY N., et. al.; Electronic Spectacles for the 21 St Century, Indian Journal of Optometry, Spring 1999; Vol. 2, No.1.	☐
	JN	BRADLEY, ARTHUR; Profile: Larry N. Thibos, PhD., and Donald T. Miller, PhD.; Indiana Journal of Optometry; Spring 1999; Vol. 2, No.1	☐
	JO	NAUMOV, A.F.; Control Optimization of Spherical Modal Liquid Crystal Lenses; Optics Express, 26 April 1999; Vol. 4, No.9; Optical Society of America.	☐
	JP	NAUMOV, A.F.; Liquid Crystal Adaptive Lenses with Modal Control; Optics Letters, 1 July 1998, Vol. 23, No. 13; Optical Society of America.	☐
	JQ	Liquid Lenses Eye Commercial Breakthrough; Opto & Laser Europe, November 2003.	☐
	JR	ANDERSON, M.; Adaptive Optics: Liquid Crystals Lower the Cost of Adaptive Optics; Laser Focus World, December 1999.	☐

Examiner Signature	/Hung Dang/ (06/04/2013)	Date Considered	06/04/2013
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				Art Unit	2872
				Examiner Name	TBA
Sheet	11	of	12	Attorney Docket Number	91904-818543 (004111US)

NON PATENT LITERATURE DOCUMENTS			
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	JS	DAVIS, ROBERT A.; Computer Vision Syndrome- The Eyestrain Epidemic; Review of Optometry, September 15, 1997	
	JT	LAZARUS, STUART M.; The Use of Yoked Base-Up and Base-In Prism for Reducing Eye Strain at the Computer; Journal of the American Optometric Association, April 1996	
	JU	Eyecare Business, October 1997	
	JV	Copy of the U.S. Application No. 12/054,299 filed March 24, 2008	
	JW	Copy of the U.S. Provisional Application No. 60/796,876 filed on May 3, 2006	
	JX	Copy of the U.S. Provisional Application No. 60/924,225 filed on May 4, 2007	
	JY	Copy of the U.S. Provisional Application No. 60/929,419 filed on June 26, 2007	
	JZ	Copy of the U.S. Provisional Applications No. 60/854,697 filed on October 27, 2006	
	JAA	Copy of the U.S. Provisional Applications No. 60/854,677 filed on October 27, 2006	
	JBB	Copy of the U.S. Provisional Application No. 60/929,991, filed on July 20, 2007	

Examiner Signature	/Hung Dang/ (06/04/2013)	Date Considered	06/04/2013
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	JCC	Copy of the U.S. Provisional Application No. 60/978,517, filed on October 9, 2007	

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<i>Index of Claims</i> 	Application/Control No. 13726267	Applicant(s)/Patent Under Reexamination KOKONASKI ET AL.
	Examiner HUNG DANG	Art Unit 2872

✓	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	06/04/2013							
	1	-							
	2	-							
	3	-							
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	11	-							
	12	-							
	13	-							
	14	✓							
	15	✓							
	16	✓							
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	31	✓							
	32	✓							
	33	✓							
	34	✓							
	35	✓							

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CONFIRMATION NO. 8100

CLASS 35
 COUNTRY 28/2
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 NO
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 (00/11/US)

SERIAL NUMBER 131702707
 FILING DATE 3/7/04
 DATE 12/14/2012
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 Joshua V. Haddock, Roanoke, VA;
 PxdOptics, Inc., Roanoke, VA

CONFINING DATA

This application is a CON of 12/83/226 C
 which is a CON of 12/83/226 C
 which claims benefit of 60/324,726
 and claims benefit of 60/324,726
 and claims benefit of 60/324,726
 and claims benefit of 60/324,726
 and claims benefit of 60/324,726

FOR CEN APPLICATIONS

IF YOU ARE FILING FOR CEN APPLICATIONS:
 02/07/2013

Foreign Priority claimed ☐ Yes ☒ No
 35 USC 119(e) conditions met ☐ Yes ☒ No ☐ Filed after Allowance
 Verified and Acknowledged ☐ YES ☒ NO
 Filing Date/Signature Initials

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 UNITED STATES

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F. C. ROK C. Y. C. ASSI. RAVE

☐ All fees☐ 1161 fees (filing)☐ 1171 fees (Processing of time)☐ 1181 fees (search)☐ Other

FILING DATE: 11/15 Authority has been given
 R. C. IV: No (to change/extend)
 1980 No (or following)

Search Notes 	Application/Control No. 13726267	Applicant(s)/Patent Under Reexamination KOKONASKI ET AL.
	Examiner HUNG DANG	Art Unit 2872

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
351	158, 41, 49, 168, 169, 228, 246, 215, 216	6/4/13	

SEARCH NOTES		
Search Notes	Date	Examiner
EAST	6/4/13	HD

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

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

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

I hereby appoint:



Practitioners associated with Customer Number:

115626

OR



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

Name	Registration Number	Name	Registration Number

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

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



The address associated with Customer Number:

115626

OR



Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

Assignee Name and Address:

PixelOptics Inc.

5241 Valleyport Drive, Roanoke, VA 24019, U.S.A.

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/86 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of the practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE OF Assignee of Record

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

Signature		Date	6/10/13
Name	Ann-Kelley Winn	Telephone	(540) 685-2103
Title	General Counsel		

This collection of information is required by 37 CFR 1.21, 1.22 and 1.23. The information is required to obtain, maintain, amend, or the public who is to be notified by the USPTO to protect an application. Confidentiality is governed by 37 CFR 1.22 and 1.23. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. There will vary depending upon the individual case. Any comments on the burden 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 AGENCY. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(c)

Atty. Docket No. 3373.0290007

Applicant/Patent Owner: KOKONASKI et al.Application No./Patent No.: 13/726,267Filed/Issue Date: December 24, 2012Titled: ELECTRONIC EYEGLASS FRAME

PixelOptics Inc. _____, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 024760, Frame 0807, or for which a copy thereof is attached.
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

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6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet(s).☐ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

John P. McGroarty
Printed or Typed Name

Attorney for Applicants

Date

2/25/13
41,186

Title or Registration Number

Electronic Acknowledgement Receipt

EFS ID:	16428900
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	72162
Filer:	John P. McGroarty/Kim McCabe
Filer Authorized By:	John P. McGroarty
Attorney Docket Number:	91904-818543 (004111US)
Receipt Date:	26-JUL-2013
Filing Date:	24-DEC-2012
Time Stamp:	15:12:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		3373_0290007.pdf	459974 043c3851e4f13758bf8aa8c46a9bd4fb6dc15a48	yes	3

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Power of Attorney	1	1
	Assignee showing of ownership per 37 CFR 3.73.	2	3
Warnings:			
Information:			
Total Files Size (in bytes):		459974	
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.			



UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	3373.0290007

115626
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

CONFIRMATION NO. 8190
POA ACCEPTANCE LETTER



Date Mailed: 08/01/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/26/2013.

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

/sleutchit/

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



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	91904-818543 (004111US)

CONFIRMATION NO. 8190

POWER OF ATTORNEY NOTICE



OC000000062941358

72162
KILPATRICK TOWNSEND & STOCKTON, LLP
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Eighth Floor
San Francisco, CA 94111-3834

Date Mailed: 08/01/2013

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/26/2013.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/sleutchit/

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	3373.0290007

CONFIRMATION NO. 8190

PUBLICATION NOTICE



OC0000006312224

115626
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

Title:ELECTRONIC EYEGLOSS FRAME

Publication No.US-2013-0201439-A1

Publication Date:08/08/2013

NOTICE OF PUBLICATION OF APPLICATION

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

The publication may be accessed through the USPTO's 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/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOKONASKI *et al.*

Appl. No.: 13/726,267

Filed: December 24, 2012

For: **Electronic Eyeglass Frame**

Confirmation No.: 8190

Art Unit: 2872

Examiner: DANG, Hung Xuan

Atty. Docket: 3373.0290007/JPM/JHH/JAF

Amendment and Reply Under 37 C.F.R. § 1.111

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

In reply to the Office Action dated June 11, 2013, Applicants submit the following Amendment and Remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 7 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments to the Claims

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

1-12. (Canceled)

13. (Currently Amended) Eyewear comprising:

a frame; and

a sealed moisture resistant module attached to the frame, wherein the module comprises within the seal any two of: a switch, a detector, a processor, a power source, a drive circuit, a transmitter, a receiver, a transceiver, and a sensor,

wherein the frame comprises a first temple and a second temple, and wherein the module is disposed within the first temple.

14. (Previously Presented) The eyewear of claim 13, wherein the module includes an electrical connector configured to connect the any two of switch, detector, processor, power source, drive circuit, transmitter, receiver, transceiver, and sensor with an external device.

15. (Previously Presented) The eyewear of claim 14, wherein the module is electrically connected to the external device by a flex circuit.

16. (Previously Presented) The eyewear of claim 14, wherein the external device includes an electro-active lens mounted to the frame.

17. (Previously Presented) The eyewear of claim 16, wherein the electro-active lenses are configured to change at least one of focus, tint, and a display.

18. (Canceled)

19. (Previously Presented) The eyewear of claim 13, wherein the module includes each

of drive circuit, a sensor, and a power source.

20. (Previously Presented) The eyewear of claim 13, wherein the module includes an antenna and at least one of a transmitter, a receiver or a transceiver.

21. (Previously Presented) The eyewear of claim 13, wherein the module includes a sensor, and wherein the sensor comprises a manual switch.

22. (Previously Presented) The eyewear of claim 13, wherein the module is removably attached to the frame.

23. (Previously Presented) The eyewear of claim 13, wherein the module is affixed directly to the frame.

24. (Previously Presented) The eyewear of claim 13, wherein the module is included in a rimless frame.

25. (Previously Presented) The eyewear of claim 13, wherein the module is included in a hinge-less frame.

26. (Canceled)

27. (Canceled)

28. (Previously Presented) The eyewear of claim 13, wherein the module is hermetically sealed.

29. (Previously Presented) The eyewear of claim 13, wherein the module is substantially water-proof.

30. (Previously Presented) The eyewear of claim 13, wherein the module is water-

proof.

31. (Previously Presented) The eyewear of claim 13, wherein the module is substantially wear resistant.

32. (Previously Presented) The eyewear of claim 13, wherein the module includes a power source, and wherein the power source comprises an inductively rechargeable battery.

33. (Previously Presented) The eyewear of claim 13, wherein the module includes electronic components configured to enable an electronic display.

34. (Canceled)

35. (Canceled)

36. (New) Eyewear comprising:

a frame; and

a sealed moisture resistant module attached to the frame, wherein the module comprises within the seal any two of: a switch, a detector, a processor, a power source, a drive circuit, a transmitter, a receiver, a transceiver, and a sensor,

wherein the module is disposed, at least partially, on a portion of the frame configured to be behind the ear of a wearer of the eyewear.

37. (New) The eyewear of claim 36, wherein the module includes an electrical connector configured to connect the any two of switch, detector, processor, power source, drive circuit, transmitter, receiver, transceiver, and sensor with an external device.

38. (New) The eyewear of claim 37, wherein the module is electrically connected to the external device by a flex circuit.

39. (New) The eyewear of claim 37, wherein the external device includes an electro-active lens mounted to the frame.
40. (New) The eyewear of claim 39, wherein the electro-active lenses are configured to change at least one of focus, tint, and a display.
41. (New) The eyewear of claim 36, wherein the module includes each of drive circuit, a sensor, and a power source.
42. (New) The eyewear of claim 36, wherein the module includes an antenna and at least one of a transmitter, a receiver or a transceiver.
43. (New) The eyewear of claim 36, wherein the module includes a sensor, and wherein the sensor comprises a manual switch.
44. (New) The eyewear of claim 36, wherein the module is removably attached to the frame.
45. (New) The eyewear of claim 36, wherein the module is affixed directly to the frame.
46. (New) The eyewear of claim 36, wherein the module is included in a rimless frame.
47. (New) The eyewear of claim 36, wherein the module is included in a hinge-less frame.
48. (New) The eyewear of claim 36, wherein the module is disposed, at least partially, on a temple portion of the frame.
49. (New) The eyewear of claim 36, wherein the module is hermetically sealed.

50. (New) The eyewear of claim 36, wherein the module is substantially water-proof.
51. (New) The eyewear of claim 36, wherein the module is water-proof.
52. (New) The eyewear of claim 36, wherein the module is substantially wear resistant.
53. (New) The eyewear of claim 36, wherein the module includes a power source, and wherein the power source comprises an inductively rechargeable battery.
54. (New) The eyewear of claim 36, wherein the module includes electronic components configured to enable an electronic display.

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 13-17, 19-25, 28-33, and 36-54 are pending in the application, with claims 13 and 36 being the independent claims. Claims 1-12 were previously canceled without prejudice to or disclaimer of the subject matter therein. Claims 18, 26, 27, 34, and 35 are presently sought to be canceled in order to advance prosecution and without prejudice to or disclaimer of the subject matter therein. The features of claims 18 and 26, indicated as allowable in the Office Action, have been incorporated into independent claims 13 and 36, respectively. New claims 36-54 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

I. Allowable Subject Matter

Applicants wish to thank Examiner Dang for indicating that dependent claims 18 and 26 recite allowable subject matter. These claims have been rewritten in independent form in claims 13 and 36, respectively. Accordingly, Applicants respectfully request that these claims and their respective dependent claims be allowed.

II. Rejections Under 35 U.S.C. § 103

Claims 13-17, 19-25, and 27-35 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,491,394 to Blum *et al.* in view of

U.S. Patent No. 7,030,411 to Krulevitch *et al.* Applicants respectfully traverse this rejection.

In order to advance prosecution, and not in acquiescence to the propriety of the rejection, independent claim 13 has been amended to incorporate the features previously recited in dependent claim 18, now canceled, which the Examiner indicated as allowable in the Office Action. Therefore, the rejection of claims 13-17, 19-25, and 27-35 is rendered moot. Accordingly, Applicants respectfully request that the rejection of claims 13-17, 19-25, and 27-35 be withdrawn and that the claims be allowed.

III. Obviousness-Type Double Patenting

Claims 13-35 are rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-30 of U.S. Patent No. 8,337,014 to Kokonaski *et al.*

A terminal disclaimer with respect to U.S. Patent No. 8,337,014 is submitted herewith, signed by an individual of record having power of attorney. Accordingly, Applicants respectfully request that the obviousness-type double patenting rejection over U.S. Patent No. 8,337,014 be withdrawn.

IV. New Claims 36-54

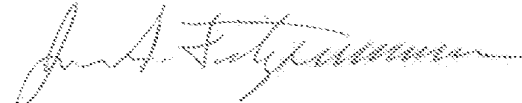
Previously pending claim 26, which the Examiner indicated as allowable in the Office Action, has been rewritten in independent form as new claim 36. New claims 37-54 depend from and add features to independent claim 36, and correspond to dependent claims previously pending from independent claim 13. Accordingly, Applicants respectfully request that claims 36-54 be allowed.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jason A. Fitzsimmons
Attorney for Applicants
Registration No. 65,367

Date: August 5, 2013
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1739831.DOCX

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

Docket Number (Optional)

3373.0290007

In re Application of: KOKONASKI et al.

Application No.: 13/726,267

Filed: December 24, 2012

For: Electronic Eyeglass Frame

The applicant, PixelOptics, owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,337,014 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for any during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

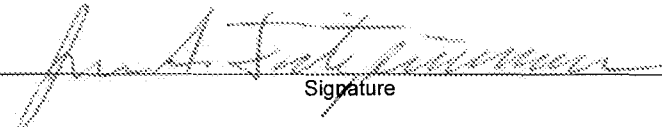
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner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

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 65,367


Signature

August 5, 2013
Date

Jason A. Fitzsimmons

Typed or printed name

Associate

Title

(202) 371-2600

Telephone Number

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

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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

1740157

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Electronic Patent Application Fee Transmittal

Application Number:	13726267			
Filing Date:	24-Dec-2012			
Title of Invention:	ELECTRONIC EYEGLASS FRAME			
First Named Inventor/Applicant Name:	William Kokonaski			
Filer:	Jason Alan Fitzsimmons/cj .			
Attorney Docket Number:	3373.0290007			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in Excess of 20	1202	14	80	1120
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	1	160	160
Total in USD (\$)				1280

Electronic Acknowledgement Receipt

EFS ID:	16773504
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	115626
Filer:	Jason Alan Fitzsimmons/cj .
Filer Authorized By:	Jason Alan Fitzsimmons
Attorney Docket Number:	3373.0290007
Receipt Date:	05-SEP-2013
Filing Date:	24-DEC-2012
Time Stamp:	16:26:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1280
RAM confirmation Number	3563
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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	Amendment/Req. Reconsideration-After Non-Final Reject		2	2					
	Claims		3	7					
	Applicant Arguments/Remarks Made in an Amendment		8	10					
	Terminal Disclaimer Filed		11	11					
Warnings:									
Information:									
2	Fee Worksheet (SB06)	fee-info.pdf	32036 60ffb427f8324c5925c89ad3a19abca137c5 244e	no	2				
Warnings:									
Information:									
Total Files Size (in bytes):			1220858						
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.									

JASON A. FITZSIMMONS
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September 5, 2013

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 8190
Art Unit 2872

Re: U.S. Utility Patent Application
Appl. No. 13/726,267; Filing Date: December 24, 2012
For: **Electronic Eyeglass Frame**
Inventors: KOKONASKI *et al.*
Our Ref: 3373.0290007

Commissioner:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization in the amount of \$1,280.00 to cover:
\$1,120.00 Excess Claim Fees
\$ 160.00 Terminal Disclaimer Fee;
2. Amendment and Reply Under 37 C.F.R. §1.111; and
3. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent.

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jason A. Fitzsimmons
Attorney for Applicant
Registration No. 65,367

JAF/cj
Enclosures
1740177_1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 13/726,267		Filing Date 12/24/2012		☐ To be Mailed				
ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO													
APPLICATION AS FILED – PART I													
(Column 1)			(Column 2)										
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)					
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A							
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A		N/A		N/A							
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A							
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =		*		X \$ =							
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*		X \$ =							
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).											
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))													
* If the difference in column 1 is less than zero, enter "0" in column 2.						TOTAL							
APPLICATION AS AMENDED – PART II													
(Column 1)			(Column 2)			(Column 3)							
AMENDMENT	09/05/2013		CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		* 37		Minus	** 23		= 14		X \$80 =		1120	
	Independent (37 CFR 1.16(h))		* 2		Minus	*** 2		= 0		X \$420 =		0	
	☐ Application Size Fee (37 CFR 1.16(s))												
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))												
										TOTAL ADD'L FEE		1120	
(Column 1)			(Column 2)			(Column 3)							
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		*		Minus	**		=		X \$ =			
	Independent (37 CFR 1.16(h))		*		Minus	***		=		X \$ =			
	☐ Application Size Fee (37 CFR 1.16(s))												
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))												
										TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.											LIE /RENEE COLLINS/		

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.

Application Number 	Application/Control No. 13/726,267	Applicant(s)/Patent under Reexamination KOKONASKI ET AL.
Document Code - DISQ		Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 9/5/13	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Felicia D. Roberts

13/726,267

(Use as many sheets as necessary)

Application Number	13/726,267
Filing Date	December 24, 2012
First Named Inventor	William KOKONASKI
Art Unit	2872
Examiner Name	DANG, Hung Xuan
Attorney Docket Number	3373.0290007

Sheet	1	of	1
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[illegible][illegible]

Examiner Signature		Date Considered	
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-154-

Substitute for form 1449/PTO		Complete if Known	
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	13/726,267
		Filing Date	December 24, 2012
		First Named Inventor	William KOKONASKI
		Art Unit	2872
		Examiner Name	DANG, Hung Xuan
Sheet	1	of	1
		Attorney Docket Number	3373.0290007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	International Search Report directed to related International Patent Application No. PCT/US2008/058056, mailed July 17, 2008; 1 page.	
	NPL2	International Preliminary Report on Patentability and Written Opinion of the International Searching Authority directed to related International Patent Application No. PCT/US2008/058056, mailed November 10, 2009; 6 pages.	
	NPL3	U.S. Patent Application No. 13/890,809, BLUM et al., "Moisture-Resistant Eye Wear," filed May 9, 2013.	

1741206_1.DOCX

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2008/058056

A. CLASSIFICATION OF SUBJECT MATTER

IPC(8) - G02C 7/06 (2008.04)

USPC - 351/168

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC(8) - G02C 7/06, G02C 7/04 (2008.04)

USPC - 351/168, 351/124

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Google Patent Search, Microsoft PatBase

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2005/0237485 A1 (BLUM et al) 27 October 2005 (27.10.2005) entire document	1-16, 18-24, 31
Y		17, 25-30
Y	US 6,115,177 A (VOSSLER) 05 September 2000 (05.09.2000) entire document	25-27, 29
Y	US 5,742,379 A (REIFER) 21 April 1998 (21.04.1998) entire document	27-30
Y	US 6,719,425 B2 (CONNER) 13 April 2004 (13.04.2004) entire document	17
A	US 4,418,990 (GERBER) 06 December 1983 (06.12.1983) entire document	1-31
A	US 2005/0225723 A1 (FILLU) 13 October 2005 (13.10.2005) entire document	1-31

☐ Further documents are listed in the continuation of Box C

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"C" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"A" document member of the same patent family

Date of the actual completion of the international search

07 July 2008

Date of mailing of the international search report

17 JUL 2008

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US, Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Authorized officer:

Blaine R. Copenheaver

PCT Helpdesk: 571-272-4300
PCT OS/P: 571-272-7774

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 027487-004103PC	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2008/058056	International filing date (day/month/year) 24 March 2008 (24.03.2008)	Priority date (day/month/year) 04 May 2007 (04.05.2007)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant PIXELOPTICS, INC.		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis 1(a).																								
2.	This REPORT consists of a total of 6 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	This report contains indications relating to the following items: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;">☒</td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	☒	Box No. I	Basis of the report	☐	Box No. II	Priority	☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	☐	Box No. IV	Lack of unity of invention	☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	☐	Box No. VI	Certain documents cited	☐	Box No. VII	Certain defects in the international application	☐	Box No. VIII	Certain observations on the international application
☒	Box No. I	Basis of the report																							
☐	Box No. II	Priority																							
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																							
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☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
☐	Box No. VI	Certain documents cited																							
☐	Box No. VII	Certain defects in the international application																							
☐	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date of issuance of this report 10 November 2008 (10.11.2008)</td> <td style="width: 50%;">Authorized officer Masashi Honda</td> </tr> <tr> <td colspan="2">e-mail: p08.pct@wipo.int</td> </tr> </table>	Date of issuance of this report 10 November 2008 (10.11.2008)	Authorized officer Masashi Honda	e-mail: p08.pct@wipo.int	
Date of issuance of this report 10 November 2008 (10.11.2008)	Authorized officer Masashi Honda				
e-mail: p08.pct@wipo.int					
Facsimile No. +41 22 338 92 70 Form PCT/IB/373 (January 2004)					

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: ROBERT SCHAFFER
PEARL COHEN ZEDEK LATZER, LLP
1500 BROADWAY, 12TH FLOOR
NEW YORK, NY 10036

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

17 JUL 2008

Applicant's or agent's file reference
P-70890-PC

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/US2008/058056

International filing date (day/month/year)
24 March 2008

Priority date (day/month/year)
04 May 2007

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G02C 7/06 (2006.04)
USPC - 351/166

Applicant
PIXELOPTICS, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(h) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22315-1450
Facsimile No. 571-273-3201

Date of completion of this opinion
07 July 2008

Authorized officer:
Blaine Copenhaver
PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (April 2007)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/058056

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed.
 - ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a)).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:
 - a. type of material
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed
 - ☐ filed together with the international application in electronic form
 - ☐ furnished subsequently to this Authority for the purposes of search
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/058056

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	17, 25-30	YES
	Claims	1-16, 18-24, 31	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-31	NO
Industrial applicability (IA)	Claims	1-31	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1-16, 18-24, 31 lack novelty under PCT Article 33(2) as being anticipated by Blum et al.

Regarding Claim 1, Blum et al. disclose an eyeglass frame comprising an electronic module, wherein said module is located within a spatial void (Fig. 4 shows position of controller/battery 420 within void and anterior to hinge; also para. [0025]) of the eyeglass frame anterior to the hinge (Fig. 1, 'Controller/Battery' 120 and Paragraph [0014]).

Regarding Claim 2, Blum et al. disclose the eyeglass frame of Claim 1, wherein the eyeglass frame is adapted for housing an electro-active lens and said module contains electronics and a power source for driving the electro-active lens (Fig. 1, Electro-Active Material 130 and Paragraph [0022]).

Regarding Claim 3, Blum et al. disclose an electronic module that contains electronics and a power source for driving an electroactive lens 130, wherein said module is designed to fit within a spatial void of an eyeglass frame directly connected to the electro-active lens without an intervening hinge (within the lens, Paragraph [0025]).

Regarding Claim 4, Blum et al. disclose a method for controlling an electro-active lens 130 wherein said lens is activated when the wearer's head moves to a first position angled steeply down relative to the horizon, and wherein said lens, once activated, remains on until such a time as the wearer's head moves to a second position at an angle slightly above the horizon ('tilt switch' operation, Paragraph [0015-0016]).

Regarding Claim 5, Blum et al. disclose an electronic module attached to a rimless eyeglass frame (half-eyes, para. [0013]) located within a spatial void (fig. 4), wherein the frame has an electro-active lens to which the module is directly connected (Fig. 1, Controller/Battery 120 and Electro-Active Material 130).

Regarding Claim 6, Blum et al. disclose the method of Claim 4, wherein said module is moisture resistant (Fig. 4, and Paragraph [0026], 'Controller/Battery 420 can be incorporated within the lens').

Regarding Claim 7, Blum et al. disclose the module of Claim 5, wherein said module is moisture resistant (Fig. 4, and Paragraph [0025], 'Controller/Battery 420 can be incorporated within the lens').

Regarding Claim 8, Blum et al. disclose the method of Claim 4, wherein said module houses a power source (Fig. 1, 'Controller/Battery' 120 and Paragraph [0025]).

Regarding Claim 9, Blum et al. disclose the module of Claim 5, wherein said module houses a power source (Fig. 1, 'Controller/Battery' 120 and Paragraph [0025]).

Regarding Claim 10, Blum et al. disclose the method of Claim 4, wherein said module houses a switch ('tilt switch', Paragraph [0015]).

Regarding Claim 11, Blum et al. disclose the module of Claim 5, wherein said module houses a switch ('tilt switch', Paragraph [0015]).

Regarding Claim 12, Blum et al. disclose the frame of Claim 1, wherein said module is sealed from the outside environment (Fig. 4, and Paragraph [0025], 'Controller/Battery 420 can be incorporated within the lens').

Regarding Claim 13, Blum et al. disclose the frame of Claim 1, wherein said module is affixed to a temple ('on or in the temple', Paragraph [0025]).

Regarding Claim 14, Blum et al. disclose the module of Claim 3, wherein said module is affixed to one of the group comprising rimless, rimmed, and semi-rimless frames ('half-eyes', Paragraph [0026]).

Regarding Claim 15, Blum et al. disclose the module of Claim 14, wherein the frame comprises one of the group comprising zyle, metal, a combination of zyle and metal ('front eye wire of the frame', Paragraph [0025]).

See supplemental page.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/058056

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box V: Citations and Explanations

Regarding Claim 16, Blum et al. disclose the frame of Claim 1, wherein said module houses at least one of the group comprising an antenna, a receiver, a transmitter, a transceiver, a sensor, a rangefinder, a power source, a micro-processor, and a controller ('range finder', 'tilt switch', Paragraph [0015]).

Regarding Claim 18, Blum et al. disclose the method of Claim 10, wherein said switch is a tilt switch ('tilt switch', Paragraph [0015]).

Regarding Claim 19, Blum et al. disclose the module of Claim 11, wherein said switch is an automatic switch (Paragraphs [0019]-[0020]).

Regarding Claim 20, Blum et al. disclose the method of Claim 20, wherein said switch is a automatic switch (Paragraphs [0019]-[0020]).

Regarding Claim 21, Blum et al. disclose the module of Claim 11, wherein said switch is a manual switch (manual switch, Paragraph [0021]).

Regarding Claim 22, Blum et al. disclose the method of Claim 10, wherein said switch is a manual switch (manual switch, Paragraph [0021]).

Regarding Claim 23, Blum et al. disclose the module of Claim 19, wherein said switch is a tilt switch ('tilt switch', Paragraph [0016]).

Regarding Claim 24, Blum et al. disclose the method of Claim 20, wherein said switch is a tilt switch ('tilt switch', Paragraph [0015]).

Regarding Claim 31, Blum et al. disclose an eyeglass frame, comprising:

- a) a hinged temple connected to the frame ('hinge screw', Paragraph [0025]); and
- b) a universal eyeglass frame housing positioned anterior to the hinge, wherein said housing contains an electronic module (Fig. 1, Controller/Battery 120).

Claim 17 lack an inventive step under PCT Article 33(3) as being obvious over Blum in view of Conner.

Regarding Claim 17, Blum et al. disclose the module of Claim 3, but lacks the teaching said frame is a hinge-less frame. Conner teaches an eyeglass frame which is hingeless (abstract) and further teaches the hinge-less frame is lighter and more comfortable for the wearer (col. 1, lines 5-8, 58-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the hinge-less frame of Conner as the eyeglass frame of Blum et al. in order to take advantage of its lighter weight and increased comfort for the wearer.

Claims 25-26 lack an inventive step under PCT Article 33(3) as being obvious over Blum in view of Vossler.

Regarding Claims 25-26, Blum et al. disclose the frame of Claim 16, further comprising a sensor, wherein the sensor may be a tilt switch (claim 26) and further wherein said controller provides for feedback from said sensor, wherein said controller turns off the electronic power if said sensor does not indicate movement (eye tracking sensor, tilt switch, or range finder, Paragraph [0015] and 'switching off', Paragraph [0020]), but lacks the teaching that the movement must be within a set period of time.

Vossler teaches an eyeglass frame 101 comprising a sensor 18 and a controller 17 (fig. 1) in which measurements of movements are taken within a set period of time (cycles of measurements over time, col. 5, lines 48-54). Vossler teaches the sensor may be a tilt switch (col. 5, lines 35-46; col. 6, lines 35-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention to take measurements of the movements within a set period as taught by Vossler for the sensor of Blum et al. in order to allow the quickest possible reactions to a user movement (Vossler, col. 6, lines 54-57).

Claim 27 lack an inventive step under PCT Article 33(3) as being obvious over Blum in view of Vossler, further in view of Reifer.

Regarding Claim 27, Blum et al. disclose the frame of Claim 25, wherein said sensor is a range finder ('range finder', Paragraph [0015]), but lacks the teaching that the movement must be within a set period of time.

Reifer teaches a range finder (abstract) in which measurements are taken within a set period of time (col. 4, lines 36-47) in order to accurately determine a distance range (Reifer, col. 4, lines 57-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the set measurement period of Reifer to take the distance finder measurements of Blum et al. in order to accurately determine distance.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2008/058056

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Claims 28, 30 lack an inventive step under PCT Article 33(3) as being obvious over Blum in view of Reifer.

Regarding Claim 28, Blum et al. disclose the frame of Claim 16, further comprising a sensor, and further wherein said controller provides for feedback from said sensor, wherein said controller turns off the electronic power if said sensor does not indicate movement (eye tracking sensor, tilt switch, or range finder, Paragraph [0015] and 'switching off' Paragraph [0020]), and that the sensor may be a range finder (claim 30) (para. 0015), but lacks the teaching that the controller provides for a timing delay after receiving a signal from the sensor.

Reifer teaches a sensor (range finder, abstract) having a controller (CPU 10, col. 4, lines 28-30) and further teaches the controller provides for a timing delay after receiving a signal from the sensor as part of the measurements used to accurately determine the distance (col. 4, lines 57-61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the delay of Reifer in the distance finder measurements of Blum et al. in order to accurately determine distance.

Claim 29 lacks an inventive step under PCT Article 33(3) as being obvious over Blum in view of Reifer, further in view of Vossler.

Regarding Claim 29, Blum et al. disclose the frame of Claim 28, wherein said sensor is a tilt switch ('tilt switch', Paragraph [0015]), but lacks the teaching that the controller provides for a timing delay after receiving a signal from the tilt switch sensor.

Vossler teaches an eyeglass frame 101 comprising a sensor 18 and a controller 17 (fig. 1) in which the sensor may be a tilt switch (col. 5, lines 35-46; col. 6, lines 35-37) and in which measurements of movements are taken within a set period of time (cycles of measurements over time, col. 6, lines 49-54) and that the controller provides for a timing delay after receiving a signal in order to give the controlling unit time to complete the realignment of the polarizing filters (col. 6, lines 46-49). It would have been obvious to one of ordinary skill in the art at the time of the invention to take measurements of the movements within a set period as taught by Vossler for the sensor of Blum et al. in order to allow time to realign the polarizing filters of the electroactive lens.

Claims 1-31 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

Electronic Patent Application Fee Transmittal				
Application Number:		13726267		
Filing Date:		24-Dec-2012		
Title of Invention:		ELECTRONIC EYEGLASS FRAME		
First Named Inventor/Applicant Name:		William Kokonaski		
Filer:		Jason Alan Fitzsimmons/cj .		
Attorney Docket Number:		3373.0290007		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
Total in USD (\$)				180

Electronic Acknowledgement Receipt

EFS ID:	16812546
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	115626
Filer:	Jason Alan Fitzsimmons/cj .
Filer Authorized By:	Jason Alan Fitzsimmons
Attorney Docket Number:	3373.0290007
Receipt Date:	10-SEP-2013
Filing Date:	24-DEC-2012
Time Stamp:	15:46:22
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 180
RAM confirmation Number	2717
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		3373_0290007_IDS.pdf	1202133	yes	10
			0974124947562d60fd501ab305f5b5f457489cb9		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Miscellaneous Incoming Letter		1	1	
	Transmittal Letter		2	8	
	Information Disclosure Statement (IDS) Form (SB08)		9	10	
Warnings:					
Information:					
2	Non Patent Literature	NPL1_ISR_PCTUS2008058056.pdf	198863	no	1
			5331560b74a20e5a945fd45c699c8e249db1859b		
Warnings:					
Information:					
3	Non Patent Literature	NPL2_IPRP_Written_Opinion_PCTUS2008058056.pdf	1031336	no	6
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Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30393	no	2
			c4f19083a5aba3ff5a0362cf023b42b8aaaca24		
Warnings:					
Information:					
Total Files Size (in bytes):			2462725		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

JOHN P. MCGROARTY
DIRECTOR
(202) 772-8882
JMCgroarty@SKGF.COM



September 10, 2013

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 8190
Art Unit 2872
Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 13/726,267; Filing Date: December 24, 2012
For: **Electronic Eyeglass Frame**
Inventors: KOKONASKI *et al.*
Our Ref: 3373.0290007

Commissioner:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p);
2. First Supplemental Information Disclosure Statement;
3. Form PTO/SB/08a (1 sheet) listing 12 documents (**US1-US12**);
4. Form PTO/SB/08b (1 sheet) listing 3 documents (**NPL1-NPL3**); and
5. Copies of cited documents (**NPL1-NPL2**).

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in dark ink, appearing to read 'John P. McGroarty'.

John P. McGroarty
Attorney for Applicants
Registration No. 41,186

JPM/JAF/ssj

Enclosures

1741222_1.DOCX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOKONASKI *et al.*

Appl. No.: 13/726,267

Filed: December 24, 2012

For: **Electronic Eyeglass Frame**

Confirmation No.: 8190

Art Unit: 2872

Examiner: DANG, Hung Xuan

Atty. Docket: 3373.0290007

First Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Commissioner:

Listed on accompanying IDS Forms PTO/SB/08a equivalent and/or PTO/SB/08b equivalent are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement: (i) was first cited in any communication from a patent office in a counterpart¹ foreign or international application or from the Office; and this communication was not received by any individual designated in Sec. 1.56(c) more than thirty days prior to the filing of this information disclosure statement; OR (ii) is a communication that was issued by a patent office in a counterpart foreign or international application or by the Office, and this communication was not received by any individual designated in Sec. 1.56(c) more than thirty days prior to the filing of the information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR

¹ The term counterpart foreign patent application means that a claim for priority has been made in either the U.S. application or a foreign application based on the other, or that the disclosures of the U.S. and foreign patent applications are substantively identical (e.g., an application filed in the European Patent Office claiming the same U.K. priority as claimed in the U.S. application).

before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this 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 this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☒ c. The required fee is provided through online credit card payment authorization in the amount of **\$180.00** in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this 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 this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☒ 5. The documents **US2-US3** and **US7-US8** was/were cited in a search report **NPL1** by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38 and MPEP 609.04(a)(III).
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents **NPL1-NPL2** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited as documents **US1-US12** on the attached IDS Forms are submitted.

Additionally, a copy of document **NPL3**, cited on the attached IDS Form, is not provided in accordance with the U.S. Patent and Trademark Office Official Gazette notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system."

- ☐ 8. Copies of the _____ documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing

date under 35 U.S.C. § 120. Thus, copies of these documents are not attached.
37 C.F.R. § 1.98(d).

☒ 9. It is expected that the examiner will review the prosecution and cited art in the parent application nos. 12/054,299, filed March 24, 2008 (now Abandoned), and 12/834,526, filed July 12, 2010 (now U.S. Patent No. 8,337,014), in accordance with MPEP 2001.06(b), and it is requested that the examiner review the prosecution and cited art in the child application no. 13/890,809, filed May 9, 2013, and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

☐ 10. In accordance with the Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from the co-pending U.S. Patent Application No. _____, filed _____, as documents _____ to _____.

The identification of these Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John P. McGroarty
Attorney for Applicants
Registration No. 41,186

Date: 9/10/13

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1741217_1.DOCX



UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

115626 7590 09/16/2013
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

EXAMINER

DANG, HUNG XUAN

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 09/16/2013

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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13/726,267

12/24/2012

William Kokonaski

3373.0290007

8190

TITLE OF INVENTION: ELECTRONIC EYEGLASS FRAME

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	12/16/2013

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

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

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

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

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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.

115626 7590 09/16/2013
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	3373.0290007	8190

TITLE OF INVENTION: ELECTRONIC EYEGLASS FRAME

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	12/16/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
DANG, HUNG XUAN	2872	351-158000

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)

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

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

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

NOTE: 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.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	3373.0290007	8190

115626	7590	09/16/2013
Sterne, Kessler, Goldstein & Fox P.L.L.C. 1100 New York Avenue NW Washington, DC 20005		

EXAMINER
DANG, HUNG XUAN

ART UNIT	PAPER NUMBER
2872	

DATE MAILED: 09/16/2013

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

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

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

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

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 13/726,267	Applicant(s) KOKONASKI ET AL.	
	Examiner HUNG DANG	Art Unit 2872	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to 9/10/13.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 13-17, 19-25, 28-33 and 36-54. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some *c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. ☐ Notice of References Cited (PTO-892) | 5. ☒ Examiner's Amendment/Comment |
| 2. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>9/10/13</u> | 6. ☒ Examiner's Statement of Reasons for Allowance |
| 3. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. ☐ Other _____. |
| 4. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____. | |

/HUNG X. DANG/
Primary Examiner, Art Unit 2872

Examiner's Amendment

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

Amendment to the specification:

Please replace paragraph [0001] with the following replacement paragraph:

--This application is a continuation of US Application No. 12/834,526 filed July 12, 2010, now U.S. patent No. 8,337,014 which is a continuation of U.S. Application No. 12/054,299 filed March 24, 2008, now abandoned, which claims the benefit of U.S. Provisional Application No. 60/796,876 filed on May 3, 2006 and entitled, "Spectacle Frame Bridge Housing Electronics For Electro-active Spectacle Lenses" (now U.S. Serial No. 11/797,210), U.S. Provisional Application No. 60/924,225 filed on May 4, 2007 and entitled, "Advanced Electro-Active Spectacles, U.S. Provisional Application No. 60/929,419 filed on June 26, 2007 entitled, "Electronic Eyeglass Frames and Integration Thereof", and U.S. Provisional Applications No. 60/854,697 and 60/854,677 respectively entitled, "Advanced Electronic Eyewear" and "Universal Temple End Piece For Spectacles" both of which were filed on October 27, 2006 (now together as Serial No. 11/976,199), U.S. Provisional Application No. 60/929,991, filed on July 20, 2007 and entitled, "Electrical Connectivity Between Electro-Active Spectacles and Frames", and U.S. Provisional Application No. 60/978,517, filed on October 9, 2007 and entitled,

"Spectacle Frame with Universal Integrated Electronics", all of which are incorporated in their entirety herein by reference.—

Examiner's Comment

The drawings are objected to because fails to shown the claimed invention in claim 36.

The drawings should be corrected to show: "the module is disposed, at least partially, on a portion of the frame configured to be behind the ear of a wearer of the eyewear" as recited in claim 36.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 2872

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claims Allowed

Claims 13-17, 19-25, 28-33 and 36-54 are allowed.

Reasons For Allowance

The following is an Examiner's Statement of Reasons for Allowance:

Claims 13-17, 19-25, 28-33 and 36-54 are considered allowable for reasons set forth on pages 7 and 8 of the Remarks by Applicant filed on 9/5/13.

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

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG X. DANG whose telephone number is (571)272-2326. The examiner can normally be reached on Monday to Friday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Pham, can be reached on 571-272-3689. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2872

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).

9/13

/Hung X Dang/

Primary Examiner, Art Unit 2873

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L7	85424	eyeglass spectacle eyewear	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 10:58
L8	2188788	module	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 10:58
L9	6027	7 and 8	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 10:58
L10	1723092	sealed	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 11:00
L11	766	9 and 10	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 11:00
L12	447	Kokonaski.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 11:00
L13	224	7 and 12	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 11:00

9/ 10/ 2013 11:01:01 AM

Search Notes 	Application/Control No. 13726267	Applicant(s)/Patent Under Reexamination KOKONASKI ET AL.
	Examiner HUNG DANG	Art Unit 2872

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
351	158, 41, 49, 168, 169, 228, 246, 215, 216	6/4/13	HD
All	Update	9/10/13	HD

SEARCH NOTES			
Search Notes		Date	Examiner
EAST		6/4/13	HD
EAST		9/10/13	HD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
Same	as above	9/10/13	HD

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Application Number	13/726,267
Filing Date	December 24, 2012
First Named Inventor	William KOKONASKI
Art Unit	2872
Examiner Name	DANG, Hung Xuan
Attorney Docket Number	3373.0290007

Sheet	1	of	1
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[illegible][illegible]

Examiner Signature	/Hung Dang/ (09/12/2013)	Date Considered	09/12/2013
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached. REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /H.D./

Equivalent of Form PTO/SB/08b (7-09)

Substitute for form 1449/PTO		Complete if Known	
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	13/726,267
		Filing Date	December 24, 2012
		First Named Inventor	William KOKONASKI
		Art Unit	2872
		Examiner Name	DANG, Hung Xuan
		Attorney Docket Number	3373.0290007
Sheet	1	of	1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	International Search Report directed to related International Patent Application No. PCT/US2008/058056, mailed July 17, 2008; 1 page.	
	NPL2	International Preliminary Report on Patentability and Written Opinion of the International Searching Authority directed to related International Patent Application No. PCT/US2008/058056, mailed November 10, 2009; 6 pages.	
	NPL3	U.S. Patent Application No. 13/890,809, BLUM et al., "Moisture-Resistant Eye Wear," filed May 9, 2013.	

1741206_1.DOCX

Examiner Signature	/Hung Dang/ (09/12/2013)	Date Considered	09/12/2013
--------------------	--------------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /H.D./

Issue Classification 	Application/Control No. 13726267	Applicant(s)/Patent Under Reexamination KOKONASKI ET AL.	
	Examiner HUNG DANG	Art Unit 2872	

CPC			
Symbol		Type	Version

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
		37	
(Assistant Examiner)	(Date)		
/HUNG DANG/ Primary Examiner.Art Unit 2872	09/10/2013	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	2B & 6

Issue Classification 	Application/Control No. 13726267	Applicant(s)/Patent Under Reexamination KOKONASKI ET AL.
	Examiner HUNG DANG	Art Unit 2872

☐ Claims renumbered in the same order as presented by applicant								☐ CPA		☒ T.D.		☐ R.1.47			
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1	5	17	18	33	32	49								
	2		18		34	33	50								
	3	6	19		35	34	51								
	4	7	20	19	36	35	52								
	5	8	21	20	37	36	53								
	6	9	22	21	38	37	54								
	7	10	23	22	39										
	8	11	24	23	40										
	9	12	25	24	41										
	10		26	25	42										
	11		27	26	43										
	12	13	28	27	44										
1	13	14	29	28	45										
2	14	15	30	29	46										
3	15	16	31	30	47										
4	16	17	32	31	48										

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 37	
/HUNG DANG/ Primary Examiner.Art Unit 2872 (Primary Examiner) _____ (Date) _____		O.G. Print Claim(s) 1	O.G. Print Figure 2B & 6

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)

115626 7590 09/16/2013
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	3373.0290007	8190

TITLE OF INVENTION: ELECTRONIC EYEGGLASS FRAME

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	12/16/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
DANG, HUNG XUAN	2872	351-158000

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 Sterne, Kessler, Goldstein & Fox P.L.L.C.

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)

PixelOptics, Inc.

Roanoke, VA

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 one (1)

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 19-0036 (enclose an extra copy of this form).

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

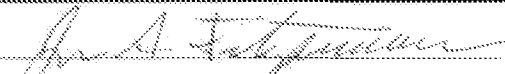
NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

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

NOTE: 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

December 13, 2013

Typed or printed name

Jason A. Fitzsimmons

Registration No.

65,3967

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOKONASKI *et al.*

Appl. No.: 13/726,267

Filed: December 24, 2012

For: **Electronic Eyeglass Frame**

Confirmation No.: 8190

Art Unit: 2872

Examiner: DANG, Hung Xuan

Atty. Docket: 3373.0290007

Amendment Under 37 C.F.R. § 1.312

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Submitted herein is an Amendment Under 37 C.F.R. § 1.312. As payment of the issue fee has not yet been made or is filed herewith, Applicants respectfully submit that filing under 37 C.F.R. § 1.312 is proper. (M.P.E.P. § 714.16.)

Amendments to the Drawings begin on page 2.

Amendments to the Specification begin on page 3 of this paper.

Remarks begin on page 4 of this paper.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any additional fees required to continue prosecution or appeal of this application (including issue fee, fees for net addition of claims or forwarding to appeal) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments to the Drawings

In accordance with the Examiner's Comment in the Notice of Allowability dated September 16, 2013, a Corrected Drawing for Figure 8B is submitted herewith on Replacement Sheet 1. Specifically, Figure 8B has been amended to label module 899.

Amendments to the Specification

Please amend paragraph [0084] of the published application as follows:

[0084] FIG. 8B illustrates an embodiment similar to the embodiment of FIG. 8A, but for having a hingless temple. This frame is constructed from a front electro-active lens frame component piece 802 and a back electro active frame component piece 803. A manual touch switch 806 is shown extending from the front electro-active lens frame component piece 802. Two temples 810 are directly attached to the combinations of the upper and lower electro-active lens frame component pieces with temple screws 808. The temple assemblies are then mounted to directly to the electro-active lenses 812 in a rimless fashion by one of the methods described earlier. Module 899 can be located on a portion of the frame behind the ear of the wearer.

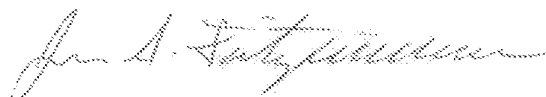
Remarks

Figure 8B has been amended to label module 899 in accordance with the Examiner's Comment in the Notice of Allowability. Module 899 represents the claimed feature in independent claim 36 that "the module is disposed, at least partially, on a portion of the frame configured to be behind the ear of a wearer of the eyewear." A corresponding amendment has been made to paragraph [0084] of the published application, reciting: "Module 899 can be located on a portion of the frame behind the ear of the wearer." The amendment does not introduce new matter. Support for the amendment is found, *inter alia*, in paragraphs [0018] and [0093] of the published application.

Accordingly, Applicants respectfully request that this Amendment be entered.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jason A. Fitzsimmons
Attorney for Applicants
Registration No. 65,367

Date: December 13, 2013

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
1786977__1

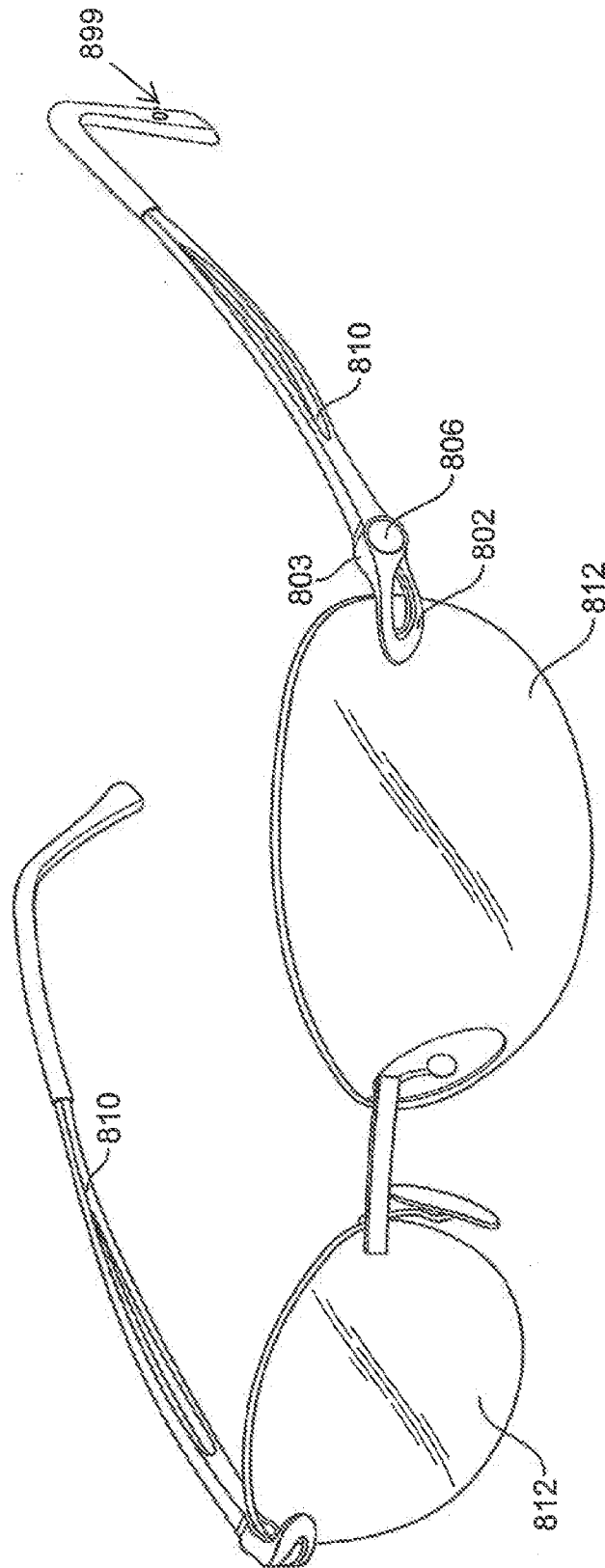


FIG. 8B

Electronic Patent Application Fee Transmittal				
Application Number:		13726267		
Filing Date:		24-Dec-2012		
Title of Invention:		ELECTRONIC EYEGLASS FRAME		
First Named Inventor/Applicant Name:		William Kokonaski		
Filer:		Jason Alan Fitzsimmons/cj .		
Attorney Docket Number:		3373.0290007		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	1501	1	1780	1780
Publ. Fee- Early, Voluntary, or Normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Printed Copy of Patent - No Color	8001	1	3	3
Total in USD (\$)				2083

Electronic Acknowledgement Receipt

EFS ID:	17658273
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	115626
Filer:	Jason Alan Fitzsimmons/cj .
Filer Authorized By:	Jason Alan Fitzsimmons
Attorney Docket Number:	3373.0290007
Receipt Date:	13-DEC-2013
Filing Date:	24-DEC-2012
Time Stamp:	17:36:49
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$2083
RAM confirmation Number	5061
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		3373_0290007_ISSUE_FEE_AM D.pdf	861319 6f6b891661a816a2070b58b4a3f7d1090b3 0da2b	yes	8
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Miscellaneous Incoming Letter		1	1	
	Issue Fee Payment (PTO-85B)		2	3	
	Amendment after Notice of Allowance (Rule 312)		4	4	
	Applicant Arguments/Remarks Made in an Amendment		5	5	
	Specification		6	6	
	Applicant Arguments/Remarks Made in an Amendment		7	7	
	Drawings-only black and white line drawings		8	8	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	33935 9e682598f9a8ee8944a189ba63f6f6753fd9 4fa4	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			895254		
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.					

JASON A. FITZSIMMONS
ASSOCIATE
(202) 772-8701
JFITSIMMONS@SKGF.COM



December 13, 2013

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 8190
Mail Stop Issue Fee

Re: Allowed U.S. Utility Patent Application
Appl. No. 13/726,267; Filed: December 24, 2012
For: **Electronic Eyeglass Frame**
Inventors: KOKONASKI *et al.*
Our Ref: 3373.0290007

Commissioner:

In response to the **Notice of Allowance and Fee(s) Due** dated September 16, 2013, the following documents are transmitted for appropriate action by the U.S. Patent and Trademark Office:

1. Issue Fee Transmittal (Form PTOL-85);
2. Online Credit Card Payment Authorization for \$2,083.00 to cover:
\$1,780.00 - Issue Fee
\$300.00 - Publication Fee;
\$3.00 - One advance copy of patent;
3. Amendment Under 37 C.F.R. §1.312; and
4. One sheet of Replacement Drawings, (Figure 8B).

The above-listed documents are filed electronically through EFS-Web.

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in cursive script, appearing to read 'J. A. Fitzsimmons'.

Jason A. Fitzsimmons
Attorney for Applicants
Registration No. 65,367

JAF/cj
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	3373.0290007	8190

115626 7590 01/06/2014
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

EXAMINER

DANG, HUNG XUAN

ART UNIT	PAPER NUMBER
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2872

MAIL DATE	DELIVERY MODE
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01/06/2014

PAPER

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

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

Response to Rule 312 Communication	Application No. 13/726,267	Applicant(s) KOKONASKI ET AL.
	Examiner HUNG DANG	Art Unit 2872

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

1. ☒ The amendment filed on 13 December 2013 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☒ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

	/HUNG DANG/ Primary Examiner, Art Unit 2872
--	--

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOKONASKI *et al.*

Appl. No.: 13/726,267

Filed: December 24, 2012

For: **Electronic Eyeglass Frame**

Confirmation No.: 8190

Art Unit: 2872

Examiner: DANG, Hung Xuan

Atty. Docket: 3373.0290007

Amendment Under 37 C.F.R. § 1.312

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

OK TO ENTER: /H.D./ (12/30/2013)

Commissioner:

Submitted herein is an Amendment Under 37 C.F.R. § 1.312. As payment of the issue fee has not yet been made or is filed herewith, Applicants respectfully submit that filing under 37 C.F.R. § 1.312 is proper. (M.P.E.P. § 714.16.)

Amendments to the Drawings begin on page 2.

Amendments to the Specification begin on page 3 of this paper.

Remarks begin on page 4 of this paper.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any additional fees required to continue prosecution or appeal of this application (including issue fee, fees for net addition of claims or forwarding to appeal) are hereby authorized to be charged to our Deposit Account No. 19-0036.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	3373.0290007	8190

115626 7590 01/24/2014
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

EXAMINER

DANG, HUNG XUAN

ART UNIT	PAPER NUMBER
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2872

MAIL DATE	DELIVERY MODE
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01/24/2014

PAPER

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

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

Corrected Notice of Allowability	Application No. 13/726,267	Applicant(s) KOKONASKI ET AL.	
	Examiner HUNG DANG	Art Unit 2872	AIA (First Inventor to File) Status No

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

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

1. ☐ This communication is responsive to _____.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 13-17, 19-25, 28-33 and 36-54. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some *c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

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

/HUNG DANG/
 Primary Examiner, Art Unit 2872

Examiner's Amendment

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

Amendments to the Specification:

Please replace paragraph 1 with the following amended paragraph:

This application is a continuation of US Application No. 12/834,526 filed July 12, 2010, now U.S. Patent No. 8,337,014, which is a continuation of U.S. Application No. 12/054,299 filed March 24, 2008, now abandoned, which claims the benefit of [~~U.S. Provisional Application No. 60/796,876 filed on May 3, 2006 and entitled, "Spectacle Frame Bridge Housing Electronics For Electro-active Spectacle Lenses" (now U.S. Serial No. 11/797,210),~~] U.S. Provisional Application No. 60/924,225 filed on May 4, 2007 and entitled, "Advanced Electro-Active Spectacles, U.S. Provisional Application No. 60/929,419 filed on June 26, 2007 entitled, "Electronic Eyeglass Frames and Integration Thereof", and [~~U.S. Provisional Applications No. 60/854,697 and 60/854,677 respectively entitled, "Advanced Electronic Eyewear" and "Universal Temple End Piece For Spectacles" both of which were filed on October 27, 2006 (now together as Serial No. 11/976,199),~~] U.S. Provisional Application No. 60/929,991, filed on July 20, 2007

Art Unit: 2872

and entitled, "Electrical Connectivity Between Electro-Active Spectacles and Frames", and U.S. Provisional Application No. 60/978,517, filed on October 9, 2007 and entitled, "Spectacle Frame with Universal Integrated Electronics", all of which are incorporated in their entirety herein by reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG X. DANG whose telephone number is (571)272-2326. The examiner can normally be reached on Monday to Friday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Pham, can be reached on 571-272-3689. 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).

1/14

/Hung X Dang/

Primary Examiner, Art Unit 2873

Application/Control Number: 13/726,267
Art Unit: 2872

Page 4



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	12/24/2012	William Kokonaski	3373.0290007	8190
115626	7590	01/31/2014		
Sterne, Kessler, Goldstein & Fox P.L.L.C. 1100 New York Avenue NW Washington, DC 20005			EXAMINER DANG, HUNG XUAN	
			ART UNIT	PAPER NUMBER
			2872	
			MAIL DATE	DELIVERY MODE
			01/31/2014	PAPER

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Application No. : 13726267
Applicant : Kokonaski
Filing Date : 12/24/2012
Date Mailed : 01/31/2014

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given two (2) months from the mail date of this Notice within which to respond. This time period for reply is extendable under 37 CFR 1.136(a) for only TWO additional MONTHS.

The application is not in compliance with 37 CFR 1.78, as indicated in the attachment. The consequences of failure to respond within the above-identified time period are set forth in the attachment.

Even if the Office has recognized a benefit claim and has entered it into the Office's database and included it on applicant's filing receipt, the benefit claim is not a proper benefit claim unless the reference in compliance with 37 CFR 1.78 is included, depending upon the application's filing date and as indicated in the attachment, in an application data sheet or in the first sentence(s) of the specification and all other requirements are met.

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

/Kevin Danemark/
Publication Branch
Office of Data Management
(571) 272-4200

**APPLICATION FILED ON OR AFTER SEPTEMBER 16, 2012 AND BEFORE MARCH 16, 2013,
NOT IN COMPLIANCE WITH 37 CFR 1.78**

- ☐ The 37 CFR 1.78(a)(2) reference on the application data sheet does not indicate the relationship (continuation, division, continuation-in-part) to the prior U.S. nonprovisional application or international application designating the U.S. See document coded dated , listing application number(s) .
- ☐ The 37 CFR 1.78(a)(2) reference on the application data sheet does not provide the U.S. nonprovisional application number (series code and serial number) or, with respect to an international PCT application designating the U.S., it provides the international application number or international filing date but not both. See document coded dated , in which the following is missing: .
- ☐ The 37 CFR 1.78(a)(2) reference on the application data sheet shows an incorrect, incomplete, or illegible U.S. nonprovisional application number, international PCT application number, or international PCT filing date. See document coded dated , in which the following error was made: .
- ☐ The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet, thus removing the validating link under 35 U.S.C. 119(a)-(d) to a prior foreign application or under 35 U.S.C. 119(e) to a prior U.S. provisional application.
- ☐ The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet.
- ☐ The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application is not present on an application data sheet.
- ☐ The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet does not provide the provisional application number (series code and serial number). See document coded dated , in which the following is missing: .
- ☐ The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet shows an incorrect, incomplete, or illegible U.S. provisional application number. See document coded dated , in which the following error was made: .
- ☒ Other: The Examiner's Amendment of 1/24/2014 is an improper method for correcting a 37 CFR (a)(2) reference in a post Sept. 16, 2012 application. The proper method is a supplemental Application Data Sheet pursuant to 37 CFR 1.76(c).

HOW TO RESPOND

A proper response to this notice would include any one of: (1) a corrected Application Data Sheet (ADS) pursuant to 37 CFR 1.76(c) which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5) or (2) a petition filed pursuant to the provisions of 37 CFR 1.78(a)(3) or 37 CFR 1.78(a)(6) if the benefit information from the document identified above by code and date does not accurately reflect the benefits under 35 U.S.C. 119(e), 120, 121 or 365(c) as claimed by applicant (a grantable petition would include a corrected ADS as required by 37 CFR 1.78(a)(3)(i) or 37 CFR 1.78(a)(6)(i)). Such amendments to the specification or supplemental ADS submission may be filed after payment of the issue fee if limited to informalities noted herein. See Waiver of 37 CFR 1.312 for Document Required by Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004).

WARNING: If Applicant fails to timely submit a proper response, the benefit information will be deleted and the patent will be printed without the benefit information present.

JOHN P. MCGROARTY
DIRECTOR
(202) 772-8882
JMCgroarty@SKGF.COM



March 31, 2014

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 8190
Art Unit 2872

Re: U.S. Utility Patent Application
Appl. No. 13/726,267; Filing Date: December 24, 2012
For: **Electronic Eyeglass Frame**
Inventors: KOKONASKI *et al.*
Our Ref: 3373.0290007

Commissioner:

Transmitted herewith for appropriate action is the following document:

1. Supplemental Application Data Sheet; and
2. Response to Notice to File Corrected Application Papers.

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in dark ink, appearing to read 'John P. McGroarty'.

John P. McGroarty
Attorney for Applicants
Registration No. 41,186

JPM/JAF/cj
Enclosures

1833231_1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOKONASKI *et al.*

Application No.: 13/726,267

Filed: December 24, 2012

For: Electronic Eyeglass Frame

Confirmation No.: 8190

Art Unit: 2872

Examiner: DANG, Hung Xuan

Atty. Docket: 3373.0290007

**RESPONSE TO NOTICE TO FILE
CORRECTED APPLICATION PAPERS**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

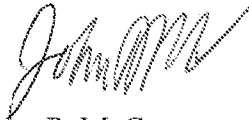
Commissioner:

In response to the Notice to File Corrected Application Papers dated January 31, 2014, Applicants submit herewith a Supplemental Application Data Sheet including markings relative to the original Application Data Sheet as filed on December 24, 2012. Benefit claims to U.S. Provisional Application Nos. 60/796,876 (filed May 3, 2006) and 60/854,677 (filed October 27, 2006) are removed as suggested in the Examiner's Amendment dated January 24, 2014.

Redundant benefit claims to U.S. Provisional Application Nos. 60/978,517 (filed October 9, 2007) and 60/929,419 (filed June 26, 2007) are removed. However, it should be noted that benefit claims to these applications remain in the Supplemental Application Data Sheet, and Applicants maintain the benefit claims to these two applications.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any additional fees required to continue prosecution or appeal of this application (including issue fee, fees for net addition of claims or forwarding to appeal) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John P. McGroarty
Attorney for Applicants
Registration No. 41,186

Date: 3/31/2019
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
1833233_1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Supplemental Application Data Sheet 37 CFR 1.76		Attorney Docket Number 91904-818543 (004111US)
Application Number		
Title of Invention	ELECTRONIC EYEGGLASS FRAME	
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.		

Secrecy Order 37 CFR 5.2

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

Inventor Information:

Inventor 1 Remove				
Legal Name				
Prefix	Given Name	Middle Name	Family Name	Suffix
	William		Kokonaski	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Gig Harbor	State/Province	WA	Country of Residence US
Mailing Address of Inventor:				
Address 1		5241 Valleypark Drive		
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country	US	
Inventor 2 Remove				
Legal Name				
Prefix	Given Name	Middle Name	Family Name	Suffix
	Ronald	D.	Blum	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Roanoke	State/Province	VA	Country of Residence US
Mailing Address of Inventor:				
Address 1		5241 Valleypark Drive		
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country	US	
Inventor 3 Remove				
Legal Name				
Prefix	Given Name	Middle Name	Family Name	Suffix
	Tiziano		Tabacchi	
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service				

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Supplemental Application Data Sheet 37 CFR 1.76		Attorney Docket Number 91904-818543 (004111US)	
Application Number			
Title of Invention	ELECTRONIC EYEGLOSS FRAME		
City	Pieve di Cadore	Country of Residence	IT
Mailing Address of Inventor:			
Address 1	5241 ValleyPark Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US
Inventor 4			Remove
Legal Name			
Prefix	Given Name	Middle Name	Family Name
	Martin		Boch
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service			
City	Kieselbronn	Country of Residence	DE
Mailing Address of Inventor:			
Address 1	5241 ValleyPark Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US
Inventor 5			Remove
Legal Name			
Prefix	Given Name	Middle Name	Family Name
	Massimo		Pinazza
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service			
City	Pieve di Cardore	Country of Residence	IT
Mailing Address of Inventor:			
Address 1	5241 ValleyPark Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US
Inventor 6			Remove
Legal Name			

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Supplemental Application Data Sheet 37 CFR 1.76		Attorney Docket Number 91904-818543 (004111US)
		Application Number
Title of Invention	ELECTRONIC EYEGLASS FRAME	

Prefix	Given Name	Middle Name	Family Name	Suffix
	Scott	N.	Richman	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Irvine	State/Province	CA	Country of Residence US

Mailing Address of Inventor:

Address 1	5241 Valley Park Drive			
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country	US	

Inventor 7

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Volkan		Ozguz	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Aliso Viejo	State/Province	CA	Country of Residence US

Mailing Address of Inventor:

Address 1	5241 Valley Park Drive			
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country	US	

Inventor 8

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Joshua	N.	Haddock	
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service				
City	Roanoke	State/Province	VA	Country of Residence US

Mailing Address of Inventor:

Address 1	5241 Valley Park Drive			
Address 2				
City	Roanoke	State/Province	VA	
Postal Code	24019	Country	US	

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.

Add

Correspondence Information:

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Supplemental Application Data Sheet 37 CFR 1.76	Attorney Docket Number 91904-818543 (004111US)
	Application Number
Title of Invention	ELECTRONIC EYEGLASS FRAME

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	72162	
Email Address		Add Email Remove Email

Application Information:

Title of the Invention	ELECTRONIC EYEGLASS FRAME		
Attorney Docket Number	91904-818543 (004111US)	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)	18	Suggested Figure for Publication (if any)	

Publication Information:

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

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	72162		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.	
Prior Application Status	Pending Remove

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Supplemental Application Data Sheet 37 CFR 1.76		Attorney Docket Number 91904-818543 (004111US)
		Application Number
Title of Invention	ELECTRONIC EYEGLASS FRAME	

Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	12834526	2010-07-12
Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12834526	Continuation of	12054299	2008-03-24
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
~~12054299~~	~~non provisional of~~	~~60926876~~	~~2006-05-03~~
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60924225	2007-05-04
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60929419	2007-06-26
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
~~12054299~~	~~non provisional of~~	~~60854677~~	~~2006-10-27~~
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60929991	2007-07-20
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
~~12054299~~	~~non provisional of~~	~~60978517~~	~~2007-10-09~~
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12054299	non provisional of	60978517	2007-10-09
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
~~12054299~~	~~non provisional of~~	~~60929419~~	~~2007-06-26~~
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).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Supplemental Application Data Sheet 37 CFR 1.76		Attorney Docket Number 91904-818543 (004111US)
		Application Number
Title of Invention	ELECTRONIC EYEGLASS FRAME	
Remove		
Application Number	Country ¹	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

Authorization to Permit Access:

☐ Authorization to Permit Access to the Instant Application by the 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), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant 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, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 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 instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Remove

☒ Assignee	☐ Legal Representative under 35 U.S.C. 117
☐ Person to whom the inventor is obligated to assign.	☐ Person who shows sufficient proprietary interest

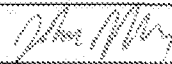
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Supplemental Application Data Sheet 37 CFR 1.76	Attorney Docket Number 91904-818543 (004111US)
Application Number	
Title of Invention	ELECTRONIC EYEGASS FRAME

Name of the Deceased or Legally Incapacitated Inventor			
If the Assignee is an Organization check here. ☒			
Organization Name	PixelOptics, Inc.		
Mailing Address Information:			
Address 1	5241 ValleyPark Drive		
Address 2			
City	Roanoke	State/Province	VA
Country ¹	US	Postal Code	24019
Phone Number		Fax Number	
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button. Add			

Signature:Remove

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications			
Signature			Date (YYYY-MM-DD)
First Name	John	Last Name	McGroarty
Registration Number	41186		
Additional Signature may be generated within this form by selecting the Add button. Add			

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.**

Electronic Acknowledgement Receipt

EFS ID:	18632185
Application Number:	13726267
International Application Number:	
Confirmation Number:	8190
Title of Invention:	ELECTRONIC EYEGLOSS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	115626
Filer:	Jason Alan Fitzsimmons/cj .
Filer Authorized By:	Jason Alan Fitzsimmons
Attorney Docket Number:	3373.0290007
Receipt Date:	31-MAR-2014
Filing Date:	24-DEC-2012
Time Stamp:	17:44:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

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

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		3373_0290007_SUPP_ADS.pdf	1585581 763ea8df9f5e2c978661afd855f2cf23cca9fed3	yes	10

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Miscellaneous Incoming Letter	1	1
	Miscellaneous Incoming Letter	2	3
	Application Data Sheet	4	10
Warnings:			
Information:			
Total Files Size (in bytes):		1585581	
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.			



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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/726,267	12/24/2012	2872	3400	3373.0290007	23	2

CONFIRMATION NO. 8190

CORRECTED FILING RECEIPT

115626
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005



Date Mailed: 04/01/2014

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

Inventor(s)

William Kokonaski, Gig Harbor, WA;
Ronald D. Blum, Roanoke, VA;
Tiziano Tabacchi, Pieve di Cadore, ITALY;
Martin Boch, Kieselbronn, GERMANY;
Massimo Pinazza, Pieve di Cardore, ITALY;
Scott N. Richman, Irvine, CA;
Volkan Ozguz, Aliso Viejo, CA;
Joshua N. Haddock, Roanoke, VA;

Applicant(s)

PIXELOPTICS, INC., Roanoke, VA

Assignment For Published Patent Application

PIXELOPTICS, INC., Roanoke, VA

Power of Attorney: The patent practitioners associated with Customer Number 115626

Domestic Priority data as claimed by applicant

This application is a CON of 12/834,526 07/12/2010 PAT 8337014
which is a CON of 12/054,299 03/24/2008 ABN
which claims benefit of 60/924,225 05/04/2007
and claims benefit of 60/929,419 06/26/2007
and claims benefit of 60/929,991 07/20/2007
and claims benefit of 60/978,517 10/09/2007

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 02/07/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/726,267**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
Title

ELECTRONIC EYEGLASS FRAME

Preliminary Class

351

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

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

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NOT GRANTED

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/726,267
				Filing Date	December 24, 2012
				First Named Inventor	William Kokonaski
				Art Unit	2872
				Examiner Name	TBA
Sheet	5	of	12	Attorney Docket Number	91904-818543 (004111US)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	EM	US-5,375,006	12-1994	HAAS	
	EN	US-5,382,986	01-1995	BLACKet al.	
	EO	US-5,386,308	01-1995	MICHELet al.	
	EP	US-5,424,927	06-1995	SCHALLER et al.	
	EQ	US-5,440,357	08-1995	QUAGLIA	
	ER	US-5,443,506	08-1995	GARABET	
	ES	US-5,451,766	09-1995	VAN BERKEL	
	ET	US-5,463,428	10-31-1995	LIPTON et al.	
	EU	US-5,488,439	01-1996	WELTMANN	
	EV	US-5,522,323	06-1996	~~GRUPP~~	Richard
	EW	US-5,552,841	09-03-1996	GALLORINI et al.	
	EX	US-5,608,567	03-04-1997	GRUPP	
	EY	US-5,615,588	04-1997	GOTTSCHALD	
	EZ	US-5,654,786	08-1997	BYLANDER	
	FA	US-5,668,620	09-16-1997	KURTIN et al.	
	FB	US-5,682,223	10-1997	MENEZES et al.	
	FC	US-5,683,457	11-1997	GUPTA et al.	
	FD	US-5,710,615	01-20-1998	KITANI	
	FE	US-5,712,721	01-27-1998	LARGE	
	FF	US-5,728,155	03-1998	ANELLO et al.	
	FG	US-5,739,959	04-1998	QUAGLIA	
	FH	US-5,777,719	07-07-1998	WILLIAMS et al.	
	FI	US-5,815,233	09-1998	MOROKAWA et al.	
	FJ	US-5,815,239	09-1998	CHAPMAN et al.	
	FK	US-5,861,936	01-1999	SORENSEN	
	FL	US-5,877,876	03-02-1999	BIRDWELL	
	FM	US-5,900,720	05-1999	KALLMAN et al.	
	FN	US-5,949,521	09-07-1999	WILLIAMS et al.	
	FO	US-5,953,098	09-1999	LIEBERMAN et al.	
Examiner Signature	/Hung Dang/ (06/04/2013)			Date Considered	06/04/2013

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

KILPATRICK TOWNSEND 64893414 1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /H.D./

Amendments to the Specification

[0067]

Please amend paragraph ~~[0084]~~ of the published application as follows:

[0084] FIG. 8B illustrates an embodiment similar to the embodiment of FIG. 8A, but for having a hingless temple. This frame is constructed from a front electro-active lens frame component piece 802 and a back electro active frame component piece 803. A manual touch switch 806 is shown extending from the front electro-active lens frame component piece 802. Two temples 810 are directly attached to the combinations of the upper and lower electro-active lens frame component pieces with temple screws 808. The temple assemblies are then mounted to directly to the electro-active lenses 812 in a rimless fashion by one of the methods described earlier. Module 899 can be located on a portion of the frame behind the ear of the wearer.

Change(s) applied
to document,
/T.R./
4/4/2014



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/726,267	04/29/2014	8708483	3373.0290007	8190

115626 7590 04/09/2014
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

William Kokonaski, Gig Harbor, WA;
Ronald D. Blum, Roanoke, VA;
Tiziano Tabacchi, Pieve di Cadore, ITALY;
Martin Boch, Kieselbronn, GERMANY;
Massimo Pinazza, Pieve di Cardore, ITALY;
Scott N. Richman, Irvine, CA;
Volkan Ozguz, Aliso Viejo, CA;
Joshua N. Haddock, Roanoke, VA;
PIXELOPTICS, INC., Roanoke, VA

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

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))				
Patent Number	Issue Date	Application Number	Filing Date	Docket Number (if applicable)
8708483	29-Apr-2014	13726267	24-Dec-2012	
CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).				
Applicants claims the following fee status:				
☐ Small Entity				
☐ Micro Entity				
☒ Regular Undiscounted				
Applicants selects the following :				
☐ 3 1/2 ☒ 7 1/2 ☐ 11 1/2				
PETITION FEE The petition fee required by 37 CFR 1.17(m) (Fee Code 1558/2558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.				
MAINTENANCE FEE (37 CFR 1.20(e)-(g)) The appropriate maintenance fee must be submitted with this petition.				
STATEMENT The delay in payment of the maintenance fee for this patent was unintentional. Petitioner is reminded that a delay resulting from a deliberately chosen course of action or a change in circumstance is not an unintentional delay. Petitioner is further reminded that a person seeking reinstatement of an expired patent should not make a statement that the delay in payment of the maintenance fee was unintentional unless the entire delay was unintentional, including the period from discovery that the maintenance fee was not timely paid until payment of the maintenance fee. For example, a statement that the delay in payment of the maintenance fee was unintentional would not be proper when the patentee becomes aware of an unintentional failure to timely pay the maintenance fee and then intentionally delays filing a petition for reinstatement of the patent under 37 CFR 1.378. See MPEP 2590. NOTE: Where the petition under 37 CFR 1.378 is filed more than two years after the date the patent expired for nonpayment of the maintenance fee, the United States Patent and Trademark Office requires an additional explanation of the circumstances surrounding the delay that establishes the entire delay was unintentional. This requirement is in addition to the requirement to provide a statement that the entire delay was unintentional. See <i>Clarification of the Practice for Requiring Additional Information in Petitions Filed in Patent Applications and Patents Based on Unintentional Delay</i> , 85 FR 12222 (March 2, 2020). See MPEP 711.03(c)(II)(C)-(F) for additional guidance on the information required to establish that the entire delay was unintentional.				
PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED				
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES 37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with 37 CFR 1.33(b)."				
I certify, in accordance with 37 CFR 1.4(d)(4) that I am				

- ☐ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☒ An attorney or agent registered to practice before the Patent and Trademark Office
- ☐ A sole patentee
- ☐ A joint patentee; I certify that I am authorized to sign this submission on behalf of all the other patentees as evidenced by the power of attorney in the application
- ☐ A joint patentee; all of whom are signing this e-petition
- ☐ The assignee of record of the entire interest that qualifies as an authorized party under 37 CFR 1.33(b)

Patent Practitioner

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	/Christopher Max Colice/		
Name	Christopher Max Colice	Registration Number	65634

Electronic Patent Application Fee Transmittal				
Application Number:		13726267		
Filing Date:		24-Dec-2012		
Title of Invention:		ELECTRONIC EYEGLOSS FRAME		
First Named Inventor/Applicant Name:		William Kokonaski		
Filer:		Christopher M. Colice		
Attorney Docket Number:		3373.0290007		
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
MAINTENANCE FEE DUE AT 7.5 YEARS	1552	1	3760	3760
PET. DELAY PYMT MAINTAIN PATENT IN FORCE	1558	1	2100	2100
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				5860



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Patent No. 8708483 :
Issue Date: April 29, 2014 :
Application No. 13726267 :DECISION GRANTING PETITION
Filed: December 24, 2012 :UNDER 37 CFR 1.378(b)
Attorney Docket No. 3373.0290007 :

This is a decision on the electronic petition, filed June 14, 2022, under 37 CFR 1.378(b) to accept the unintentionally delayed payment of the 7.5 year maintenance fee for the above-identified patent.

The petition is **GRANTED**.

The maintenance fee is accepted, and the above-identified patent reinstated as of June 14, 2022. This decision also constitutes notice that the fee has been accepted. An electronic copy of the petition and this decision has been created as an entry in the Image File Wrapper. Nevertheless, petitioner should print and retain an independent copy.

Telephone inquiries related to this electronic decision should be directed to the Electronic Business Center at 1-866-217-9197.

Electronic Acknowledgement Receipt

EFS ID:	45956885
Application Number:	13726267
Patent Number:	8708483
Confirmation Number:	8190
Petition Issued Date:	June 14,2022
Title of Invention:	ELECTRONIC EYEGLASS FRAME
First Named Inventor/Applicant Name:	William Kokonaski
Customer Number:	115626
Filer:	Christopher M. Colice
Filer Authorized By:	
Attorney Docket Number:	3373.0290007
Receipt Date:	14-JUN-2022
Filing Date:	24-DEC-2012
Time Stamp:	20:32:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$5860
RAM confirmation Number	E20226DK32163769
Deposit Account	601876
Authorized User	Christopher Colice
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

37 CFR 1.16 (National application filing, search, and examination fees)
 37 CFR 1.17 (Patent application and reexamination processing fees)
 37 CFR 1.19 (Document supply fees)
 37 CFR 1.20 (Post Issuance fees)
 37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	ePetition Request Form	petition-request.pdf	47967	no	2
			9503d192399e064f47024ec47f075302ba1bf61e		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	40382	no	2
			0e5d287160d1f4fba31a6f3436a7383eda5b1c9b		

Warnings:

Information:

Total Files Size (in bytes):	88349
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☒ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

149890

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☒ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number: 149890

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

E-Vision, LLC

- ☐ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature

Date (Optional)

Name

Title

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)Applicant/Patent Owner: E-VISION, LLCApplication No./Patent No.: 8,708,483Filed/Issue Date: 2014-04-29Titled: ELECTRONIC EYEGLASS FRAMEE-VISION, LLC, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose one of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose one of options A or B below):

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Blum et al. To: PIXELOPTICS, INC.The document was recorded in the United States Patent and Trademark Office at
Reel 035144, Frame 0386, or for which a copy thereof is attached.2. From: PIXELOPTICS, INC. To: HPO ASSETS LLCThe document was recorded in the United States Patent and Trademark Office at
Reel 03159, Frame 0134, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

STATEMENT UNDER 37 CFR 3.73(c)

3. From: HPO ASSETS LLC To: mitsui chemicals, inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 03159, Frame 0314, or for which a copy thereof is attached.

4. From: MITSUI CHEMICALS, INC. To: E-VISION, LLC

The document was recorded in the United States Patent and Trademark Office at
Reel 044643, Frame 0722, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☒ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Christopher Max Colice/

Signature

Christopher Max Colice

Printed or Typed Name

2022-07-01

Date

65634

Title or Registration Number

Privacy Act Statement

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

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

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

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	01004-818543-(004111US) EVSC-027US18
		Application Number	13/726,267
Title of Invention	ELECTRONIC EYEGLOSS FRAME		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2:

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

Inventor Information:

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	William		Kokonaski			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						
City	Gig Harbor	State/Province	WA	Country of Residence	US	
Mailing Address of Inventor:						
Address 1		1807 44th Street Court, N.W.				
Address 2						
City	Gig Harbor	State/Province	WA			
Postal Code	98335	Country i	US			
Inventor 2					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Ronald	D.	Blum			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						
City	Roanoke	State/Province	VA	Country of Residence	US	
Mailing Address of Inventor:						
Address 1		5320 Silver Fox Rd				
Address 2						
City	Roanoke	State/Province	VA			
Postal Code	24018	Country i	US			
Inventor 3					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Tiziano		Tabacchi			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	~~91904-818543 (994111US)~~ EVSO-027US16
		Application Number	13/726,267
Title of Invention	ELECTRONIC EYEGLOSS FRAME		

City	Roanoke	State/Province	VA	Country of Residence	US
------	---------	----------------	----	----------------------	----

Mailing Address of Inventor:

Address 1	5241 ValleyPark Drive				
Address 2					
City	Roanoke	State/Province	VA		
Postal Code	24019	Country	US		

Inventor 4

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Martin		Boch	

Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service

City	Roanoke	State/Province	VA	Country of Residence	US
------	---------	----------------	----	----------------------	----

Mailing Address of Inventor:

Address 1	5241 ValleyPark Drive				
Address 2					
City	Roanoke	State/Province	VA		
Postal Code	24019	Country	US		

Inventor 5

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Massimo		Pinazza	

Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service

City	Roanoke	State/Province	VA	Country of Residence	US
------	---------	----------------	----	----------------------	----

Mailing Address of Inventor:

Address 1	5241 ValleyPark Drive				
Address 2					
City	Roanoke	State/Province	VA		
Postal Code	24019	Country	US		

Inventor 6

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Scott	N.	Richman	

Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service

City	Roanoke	State/Province	VA	Country of Residence	US
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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	91904-318543-(004444US)- EVSQ-027US16
		Application Number	13/726,267
Title of Invention	ELECTRONIC EYEGLOSS FRAME		

Mailing Address of Inventor:

Address 1	5241 Valley Park Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US
Inventor 7	Remove		
Legal Name			
Prefix	Given Name	Middle Name	Family Name
	Volkan		Ozguz
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service			
City	Roanoke	State/Province	VA
		Country of Residence	US

Mailing Address of Inventor:

Address 1	5241 Valley Park Drive		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24019	Country	US
Inventor 8	Remove		
Legal Name			
Prefix	Given Name	Middle Name	Family Name
	Joshua	N.	Haddock
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service			
City	Roanoke	State/Province	VA
		Country of Residence	US

Mailing Address of Inventor:

Address 1	17 Church Avenue, Apt. 202		
Address 2			
City	Roanoke	State/Province	VA
Postal Code	24011	Country	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	-72462- 149890

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	~~91904-818543 (004111US)~~ EVGO-027US16
		Application Number	<u>13/726,267</u>
Title of Invention	ELECTRONIC EYEGLASS FRAME		
Email Address	<u>docketing@smithbaluch.com</u>		Add Email Remove Email

Application Information:

Title of the Invention	ELECTRONIC EYEGLASS FRAME		
Attorney Docket Number	91904-818543 (004111US)	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	18	Suggested Figure for Publication (if any)	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

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

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	~~72162~~ <u>149890</u>		

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	~~91904-318543-(004111US)~~ <u>EVSO-027US16</u>
		Application Number	<u>13/726,267</u>
Title of Invention	ELECTRONIC EYEGASS FRAME		

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is 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), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	~~91964-318543-(664111US)~~ EVSO-027US18
		Application Number	13/726,267
Title of Invention	ELECTRONIC EYEGLASS FRAME		

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

[Clear](#)

☒ Assignee
 ☐ Legal Representative under 35 U.S.C. 117
 ☐ Joint Inventor

☐ Person to whom the inventor is obligated to assign.
 ☐ Person who shows sufficient proprietary interest

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name

Mailing Address Information For Applicant:

Address 1

Address 2

City State/Province

Country Postal Code

Phone Number Fax Number

Email Address

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

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	~~91904-818543-(004111US)~~ <u>EVSC-027US16</u>
		Application Number	<u>13/726,267</u>
Title of Invention	ELECTRONIC EYEGASS FRAME		

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

If the Assignee or Non-Applicant Assignee is an Organization check here. ☒

Organization Name E-VISION, LLC

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1		<u>1144 TALLEVAST ROAD</u>	
Address 2		<u>SUITES 113-115</u>	
City	<u>SARASOTA</u>	State/Province	<u>FL</u>
Country ¹	<u>US</u>	Postal Code	<u>34243</u>
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). However, if this Application Data Sheet is submitted with the **INITIAL** filing of the application and either box A or B is **not** checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	<u>/Christopher Max Colice/</u>		Date (YYYY-MM-DD)	<u>2022-07-01</u>	
First Name	Christopher	Last Name	Colice	Registration Number	65634

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

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	~~04004-348543-(004111US)~~ EVSO-027US18
		Application Number	13/726,267
Title of Invention	ELECTRONIC EYEGLASS FRAME		

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

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

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

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



ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #
13/726,267

RECEIPT DATE / TIME
07/01/2022 06:14:32 PM ET

ATTORNEY DOCKET #
3373.0290007

Title of Invention

ELECTRONIC EYEGLASS FRAME

Application Information

APPLICATION TYPE Utility - Nonprovisional Application
under 35 USC 111(a)

PATENT # 8708483

CONFIRMATION # 8190

FILED BY Lindsey Lovato

PATENT CENTER # 60757671

FILING DATE 12/24/2012

CUSTOMER # 115626

FIRST NAMED INVENTOR William Kokonaski

CORRESPONDENCE ADDRESS -

AUTHORIZED BY Christopher Colice

Documents

TOTAL DOCUMENTS: 3

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
EVSO-027US16_POA.pdf	1	Power of Attorney	604 KB
EVSO-027US16_USPTO_AIA96_20220629.pdf	3	Assignee showing of ownership per 37 CFR 3.73	121 KB
EVSO-027US16_Corrected_ADS.pdf	9	Application Data Sheet	247 KB

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Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
EVSO-027US16_POA.pdf	A1259D4FB1890B9173EBA3DAB0F214393549DEE8EA27E45AB B5F029CDC32EAB68F68C9A2F3EB864E44780722012BF369638 D9DD30925A712A0C628703428A76B
EVSO-027US16_USPTO_AIA96_20220629.pdf	E07D4E0AFEBCD45758DF067BAAB23283330E733D5D39D5B7 8344C7762BE1AD1A9074D1672342DFA8897437E48E724A80C5 43263C91E0843ACCB28C00C3AE9DC8
EVSO-027US16_Corrected_ADS.pdf	20E5929EE188174C94A90D3F2E5709C3BBF66629878214BF95 A7CEDE2FAAFE74AA064E74C595A26EBBBF8564E6AC74A753 ED5359F78A6DFE950AC42AA2AA75A8

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	EVSO-027US16

CONFIRMATION NO. 8190

POA ACCEPTANCE LETTER



149890
SMITH BALUCH LLP
376 BOYLSTON ST
STE 401
BOSTON, MA 02116

Date Mailed: 07/13/2022

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/01/2022.

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.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/sleutchit/



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/726,267	12/24/2012	William Kokonaski	3373.0290007

115626
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue, N.W.
Washington, DC 20005

CONFIRMATION NO. 8190
POWER OF ATTORNEY NOTICE



OC000000135081924

Date Mailed: 07/13/2022

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/01/2022.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/sleutchit/