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NOTICE OF ALLOWANCE AND FEE(S) DUE

110807 7590 03/02/2020
AdamsIP, LLC
300 Dauphin Street, Suite 200
Mobile, AL 36602

EXAMINER

ANDERSON II, STEVEN S

ART UNIT PAPER NUMBER

3762

DATE MAILED: 03/02/2020

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/125,009	09/07/2018	Orvell B. Reynolds	482.6-100	5892

TITLE OF INVENTION: AIR CONDITIONING SYSTEM FOR AN OPEN MOTORIZED VEHICLE

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	06/02/2020

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: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
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Alexandria, Virginia 22313-1450

By fax, send to: (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)

110807 7590 03/02/2020
AdamsIP, LLC
300 Dauphin Street, Suite 200
Mobile, AL 36602

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 transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

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16/125,009	09/07/2018	Orvell B. Reynolds	482.6-100	5892

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nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	06/02/2020

EXAMINER	ART UNIT	CLASS-SUBCLASS
ANDERSON II, STEVEN S	3762	454-143000

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 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

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

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

3 _____

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). 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. Fees submitted: ☐ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: (Please first reapply any previously paid fee shown above)

☐ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

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 forms 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: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____



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AdamsIP, LLC			ANDERSON II, STEVEN S	
300 Dauphin Street, Suite 200			ART UNIT	
Mobile, AL 36602			PAPER NUMBER	
			3762	
DATE MAILED: 03/02/2020				

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

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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 30 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.

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. 16/125,009	Applicant(s) Reynolds, Orvell B.	
	Examiner STEVEN S ANDERSON II	Art Unit 3762	AIA (FITF) Status Yes

-- 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 Amendmend dated 2/6/20.
☐ 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 and 19-20. 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) 2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____ 4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____	5. ☐ Examiner's Amendment/Comment 6. ☐ Examiner's Statement of Reasons for Allowance 7. ☐ Other _____
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/STEVEN S ANDERSON II/ Primary Examiner, Art Unit 3762	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Orvell B. Reynolds	Art Unit	: 3762
Serial No.	: 16/125,009	Examiner	: Anderson II, Steven S.
Filed	: September 7, 2018	Conf. No.	: 5892
Title	: Air Conditioning System for an Open Motorized Vehicle		

MAIL STOP AMENDMENT

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

AMENDMENT AND RESPONSE AFTER FINAL OFFICE ACTION
MAILED SEPTEMBER 24, 2019

TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the final Office Action mailed September 24, 2019. In the Office Action, the Examiner set a three-month period in which to reply, i.e., by December 24, 2019. This paper is being filed on February 6, 2020, along with a two-month extension of time. Thus, this paper is timely.

Please amend the above-identified application as follows and consider the following remarks and arguments.

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

Remarks/Arguments begin on page 4 of this paper.

Listing of Claims:

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

1-12. (cancelled)

13. (currently amended) An enclosure system for a lawn mower, the system comprising:
a cab assembly having a front wall, a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume, wherein the cab assembly is adapted to secure to a mower frame of the lawn mower such that a user may occupy the interior volume while operating the lawn mower; and
an air conditioning unit configured to produce conditioned air,
wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower, the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume,
wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall,
wherein the cab assembly includes a lower frame adapted to be secured to the mower frame such that when the lower frame is secured to the mower frame the front wall is disposed in front of an operator seat of the lawn mower and the rear wall is disposed behind the operator seat, and
wherein the cab assembly has a height that increases as the cab assembly extends from the rear wall to the front wall.

14. (cancelled)

15. (cancelled)

16. (cancelled)

Applicant : Orvell B. Reynolds
Serial No. : 16/125,009
Filed : September 7, 2018
Page : 3 of 5

Attorney Docket No. 482.6-100

17. (currently amended) The system of ~~claim 16~~ claim 13, wherein the front wall includes a door.
18. (cancelled)
19. (original) The system of claim 13, wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end.
20. (original) The system of claim 13, wherein at least one of the first sidewall, the second sidewall, and the front wall is semitransparent.
21. (cancelled)

Applicant : Orvell B. Reynolds
Serial No. : 16/125,009
Filed : September 7, 2018
Page : 4 of 5

Attorney Docket No. 482.6-100

REMARKS/ARGUMENTS

Reconsideration of this Application is respectfully requested.

Claims 1–6, 8–14, and 16–21 were pending in the application with Claims 1, 9, and 13 being independent. Claims 7 and 15 were previously cancelled. Claims 1–6, 8–14, 16–17 and 19–21 were rejected. Claim 18 was 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.

Claims 1–12, 14–16, 18, and 21 have been cancelled. Independent Claim 13 has been amended to include all of the limitations of allowable Claim 18, as well as intervening Claims 14 and 16. Dependent Claim 17 has also been amended to now depend from Claim 13. Accordingly, based on the above amendments, Applicant respectfully submits that the present claims amendments place the application in condition for allowance.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of the application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that

Applicant : Orvell B. Reynolds
Serial No. : 16/125,009
Filed : September 7, 2018
Page : 5 of 5

Attorney Docket No. 482.6-100

Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

All grounds of objection or rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Office reconsider and withdraw them. A complete reply has been made to the outstanding Office Action. As such, Applicant believes that the application is in condition for allowance. If the Office believes, for any reason, that personal communications will expedite prosecution of this application, the Office is asked to telephone the undersigned at the number provided. Applicant respectfully requests prompt and favorable consideration of the Amendment and Reply.

Respectfully submitted

ADAMSIP, LLC

/Stephen Thompson/
Stephen Thompson
Reg. No. 72,486

Date: February 6, 2020

Customer No. 110807
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110807	7590	09/24/2019	EXAMINER	
AdamsIP, LLC			ANDERSON II, STEVEN S	
300 Dauphin Street, Suite 200				
Mobile, AL 36602				
			ART UNIT	PAPER NUMBER
			3762	
			MAIL DATE	DELIVERY MODE
			09/24/2019	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.

Notice of Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Response to Arguments

2. The 112f interpretation has been overcome due to the claim amendments however the evaporator is still considered part of the claim because it is a standard component of an air conditioning unit or air conditioner.
3. Applicant's arguments filed 8/23/19 have been fully considered but they are not persuasive.
4. Applicant asserts that the cab assembly of Taylor is not adapted to secure to a mower frame of a lawn mower because Taylor is not a lawn mower.

The lawn mower was provided in a 103 rejection.

5. Applicant asserts that Anglin only pertains to a conventional passenger automobile such as a car having a forwardly mounted engine.

Examiner asserts that the device of Taylor is a vehicle and one of ordinary skill in the art would have reason to combine these teachings as provided in the rejection below. Simply because one teaching relates to a different type of vehicle does not preclude a proper 103 rejection.

6. Applicant asserts that the belt connection of Anglin as applied to Taylor would cause damage to the belt connection and/or the compressor.

Examiner asserts that one of ordinary skill in the art is not considered an automaton and would not blindly piece the prior art together with no regard for the damage it may cause. The routing of belts in order to prevent damage of the belts is not considered a significant redesign, nor is positioning a compressor so that the lubricating oil does not cause damage.

7. Applicant asserts that because Anglin does not teach a lawn mower it does not teach an "air conditioning unit adapted to receive rotary motion from an engine of the lawn mower".

Examiner asserts that the lawn mower has been provided in different teachings and that transfer of rotary motion from an engine to an air conditioning unit is taught in Anglin.

8. Applicant asserts that Taylor cannot be modified to be a lawn mower because it would change the principle operation of Taylor.

Examiner asserts that this is exactly what Osswald does, it starts with the same lifting structure and modifies it to be a lawn mower.

9. Applicant asserts that because Osswald has openings in the sidewalls that any modification with Osswald would result in openings in the modified device.

Examiner disagrees and notes that the air conditioning would still enhance comfort to a user even if the openings were transferred.

10. Applicant asserts that positioning the vent at the backwall of Taylor would prevent the device of Taylor from removing condensation from the windows and change the recirculation principle of Taylor.

Examiner asserts that this location is not claimed. A vent opposite the door is claimed. This can be interpreted broadly because many positions can be considered opposite. This does not limit the positioning only to the backwall. In the case of Taylor the outlet of the evaporator which is a vent is opposite the door as are the outlets 64 because they face the door and the inlet to the evaporator is opposite in position to the door.

Claim Rejections - 35 USC § 103

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention

and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103 are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. Claims 1-4, and 8 is/are rejected under 35 U.S.C. 103 as being unpatentable over U.S. PG PUB 20120205946 to Taylor (Taylor) in view of U.S. Patent 3306067 to Anglin (Anglin) and U.S. PG PUB 20090038186 to Osswald et al. (Osswald).

14. Regarding claim 1, Taylor teaches a cab assembly having a front wall (34, Figure 3), a first sidewall (58, Figure 1), a second sidewall (58, Figure 1), and a ceiling (44, Figure 1) that collectively define an interior volume, the cab assembly being adapted to secure to a vehicle frame of the vehicle such that a user may occupy the interior volume while operating the vehicle; and the air conditioning unit at least partially defining a rear wall disposed opposite the front wall (30, Figure 3).

Taylor is silent on an air conditioning unit adapted to receive rotary motion from an engine of the vehicle and being explicit that a radiator is present.

Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, Figure 2). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Anglin to provide wherein the air conditioning unit is adapted to be powered in part by

rotary motion transmitted from an engine of the lawn mower. Doing so would prevent overheating of the air conditioning system, save space, and/or provide improved cooling of the system (Col. 1 line 29 – Col. 2 line 7).

Taylor is silent on wherein the vehicle is a lawn mower and a vehicle similar to Taylors that explicitly recites a radiator.

Osswald teaches wherein the vehicle is a lawn mower (570, Figure 53) and comprises a radiator (Paragraph 0089 with airflow passage at 44 for the radiator which would be similar to grid of holes in Figure 1 of Taylor which appear to be a place for a radiator). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Osswald to provide wherein the vehicle is a lawn mower and to show that Taylor has a radiator. Doing so would give the device another utility by allowing the device to cut grass and allow the engine to be cooled.

15. Regarding claim 2, Taylor teaches the cab assembly includes a lower frame (frame, 60 appears to frame all the walls and therefore provide a lower frame) adapted to secure to the vehicle frame (12, Figure 1) such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame (connection shown in Figures 1 and 3 which indicates the cab assembly is secured to the vehicle frame).

16. Regarding claim 3, Taylor teaches wherein the lower frame is shaped to correspond to the vehicle frame (connection indicates that the shape of the frames correspond to each other).

17. Regarding claim 4, Taylor teaches wherein the front wall is at least partially defined by a door (Paragraph 0017).

18. Regarding claim 8, Taylor teaches wherein at least one of the first sidewall and the second sidewall is transparent (58, Figure 3, Paragraph 0017).

19. Claim 5 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Anglin, Osswald, and U.S. Patent 6261173 to Odebrecht (Odebrecht).

20. Regarding claim 5, Taylor is silent on conditioned air produced by the air conditioning unit is emitted into the interior volume from the rear wall.

21. Odebrecht teaches an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume (21, Figures 1-3 has a heat exchanger and a fan per Col. 3 lines 38-47). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Odebrecht to provide an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable environment for a user of the device especially in the head/neck region (Col. 1 lines 28-33).

22. Claim 6 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Anglin, Osswald, and U.S. PG PUB 20130118708 to Ichikawa (Ichikawa).

23. Regarding claim 6, Taylor is silent on wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height.

Ichikawa teaches wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height (Figure 1). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height. Doing so would provide space for mechanical equipment below the cab while reducing the size of the device.

24. Claims 9-12 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Osswald, Odebrecht, and U.S. Patent 3948312 to Nishet (Nishet).

25. Regarding claim 9, Taylor teaches a cab assembly comprising an enclosed frame defining an interior volume (60, 34, 44, and 58, Figure 3), wherein the enclosed frame includes a door (34, Figure 3, Paragraph 0017) and is adapted to secure to a vehicle frame of the vehicle such that a user may occupy the interior volume while operating the vehicle (Figures 1 and 3); and an air conditioning unit (30, Figure 3) having a vent (68 with vents, 64 are opposite because they face the door, or the inlet or outlet from 68 are opposite in position per Figure 3) with flow passage (seen in Figure 3) and outlets (50 that are circular and are adjustable per Paragraph 0022) a housing (48, Figure 3) a fan (52, Figure 3) configured to emit conditioned air directly into the interior volume (Figures 1 and 3 show a flowpath from outlets, which are interpreted as part of the evaporator unit to the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the vent is disposed opposite the door (Figure 3 shows the orientation, opposite the door is interpreted broadly because many positions can be considered opposite the door).

Taylor is silent on wherein the vehicle is a lawn mower

Osswald teaches wherein the vehicle is a lawn mower (570, Figure 53) and comprises a radiator (Paragraph 0089 with airflow passage at 44 for the radiator which would be similar to grid of holes in Figure 1 of Taylor which appear to be a place for a radiator). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Osswald to provide wherein the vehicle is a lawn mower and to show that Taylor has a radiator. Doing so would give the device another utility by allowing the device to cut grass and allow the engine to be cooled.

Taylor is silent on a plastic housing, a pair of second fan vents 54b, a fan speed knob 56 (FIG. 9), and a thermostatic temperature control knob 57. The first 54a and second 54b vents include respective

rectangular apertures, The fan speed knob 56 (FIG. 9) and temperature knob 57 provide conventional fan speed control and coolant flow control, respectively, thereby providing selectable control of cooled air 82 (FIG. 3) within the cab assembly 20 (FIG. 1).

Nishet teaches a fan speed and temperature control knob (26 and 28, Figure 1, Col. 5 line 44 – Col. 6 line 5). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Nishet to provide a fan speed and temperature control knob. Doing so would allow a user to control the temperature and speed of conditioned air flow.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide additional pairs of outlets, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. (In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)) and one would do so to provide additional cooling to the cabin.

One of skill in the art would recognize that changes in configuration are a matter of design choice such that using rectangular outlets in addition to circular outlets is obvious when the particular configuration result in no change in cooling ability of the device. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)).

26. Regarding claim 10, Taylor teaches wherein the enclosed frame is adapted to secure to the vehicle frame (12, Figure 1) such that when the enclosed frame is secured to the vehicle frame the door is disposed in front of an operator seat of the vehicle (Figures 1 and 3 show the orientation where frame, 60 appears to frame all the walls and therefore provide a frame that is attached to the vehicle frame).

27. Regarding claim 11, Taylor teaches wherein a portion of the enclosed frame is shaped to correspond to the mower frame (connection shown in Figures 1 and 3 which indicate the shape corresponds to the mower frame).

28. Regarding claim 12, Taylor teaches wherein the air conditioning unit is disposed behind the operator seat (30, Figure 3 shows the orientation behind seat, 74).

29. Claim 21 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Osswald, Odebrecht, Nishet, and Ichikawa.

30. Regarding claim 21, Taylor is silent on wherein the at least one vent is disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame.

31. Ichikawa teaches wherein the evaporator unit includes at least one vent disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame (15b, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the evaporator unit includes at least one vent disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame. Doing so would provide conditioned air to an upper part of the cabin, increasing a users comfort.

32. Claims 13-15 and 20 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of Taylor, and Anglin.

33. Regarding claim 13, Osswald teaches a cab assembly (22, Figure 1), a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume (Figure 1 shows the walls), wherein the cab assembly is adapted to secure to a mower frame (14 and 16, Figure 1) of the lawn mower such that a user may occupy the interior volume while operating the lawn mower (Figure 53 has a lawn mower, 570).

Osswald is silent on a front wall and an air conditioning unit configured to produce conditioned air, wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower, the air conditioning unit being secured in relation to the cab

assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume.

Taylor teaches an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume (30, Figure 3 with outlets, 50 and because it is all considered part of the air conditioning unit it is directly outlet to the cabin) and a front wall (34, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable and cool environment for a user and protection from the elements including debris.

Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, Figure 2). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Anglin to provide wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower. Doing so would prevent overheating of the air conditioning system, save space, and/or provide improved cooling of the system (Col. 1 line 29 – Col. 2 line 7).

34. Regarding claim 14, Osswald teaches is silent on wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall.

35. Taylor teaches wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall (48, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide wherein one or

more components of the air conditioning unit define a rear wall disposed opposite the front wall. Doing so would provide a comfortable and cool environment for a user and protect the air conditioning unit from the elements including debris.

36. Regarding claim 15, Osswald is silent on an evaporator unit and a condenser, and wherein the rear wall is defined at least partially by at least one of the evaporator unit and the condenser.

Taylor teaches an air conditioning unit (30, Figure 3) having an evaporator (68, Figure 3) with flow passage (seen in Figure 3) and outlets (50 that are circular and are adjustable per Paragraph 0022) a housing (48, Figure 3) a fan (52, Figure 3) configured to emit conditioned air directly into the interior volume (Figures 1 and 3 show a flowpath from outlets, which are interpreted as part of the evaporator unit to the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the evaporator unit is disposed opposite the door (Figure 3 shows the orientation) wherein the evaporator unit or condenser forms part of the back wall (48, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable and cool environment for a user and protection from the elements including debris.

Taylor is silent on a plastic housing, a pair of second fan vents 54b, a fan speed knob 56 (FIG. 9), and a thermostatic temperature control knob 57. The first 54a and second 54b vents include respective rectangular apertures, The fan speed knob 56 (FIG. 9) and temperature knob 57 provide conventional fan speed control and coolant flow control, respectively, thereby providing selectable control of cooled air 82 (FIG. 3) within the cab assembly 20 (FIG. 1).

Nishet teaches a fan speed and temperature control knob (26 and 28, Figure 1, Col. 5 line 44 – Col. 6 line 5). It would have been obvious to one of ordinary skill in the art to have modified the

teachings of Osswald with the teachings of Nishet to provide a fan speed and temperature control knob.

Doing so would allow a user to control the temperature and speed of conditioned air flow.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide additional pairs of outlets, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. (In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)) and one would do so to provide additional cooling to the cabin.

One of skill in the art would recognize that changes in configuration are a matter of design choice such that using rectangular outlets in addition to circular outlets is obvious when the particular configuration result in no change in cooling ability of the device. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)).

37. Regarding claim 20, Osswald wherein at least one of the first sidewall, the second sidewall, and the front wall is semitransparent (Figure 1 shows a mesh which indicates the sidewalls are at least semi transparent).

38. Claims 16 and 17 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of Odebrecht, Ichikawa, Anglin, and Taylor.

39. Regarding claim 16, Osswald is silent on the cab assembly includes a lower frame adapted to secure to the mower frame such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame and the rear wall is disposed behind the operators seat.

Taylor teaches the cab assembly includes a lower frame (frame, 60 appears to frame all the walls and therefore provide a lower frame) adapted to secure to the vehicle frame (12, Figure 1) such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame (connection shown in Figures 1 and 3 which indicates the cab assembly is

secured to the vehicle frame) and the rear wall is disposed behind the operators seat (Figures 1 and 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide the cab assembly includes a lower frame adapted to secure to the mower frame such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame and the rear wall is disposed behind the operators seat. Doing so would provide strength to the device and allow it to be easily assembled and disassembled.

40. Regarding claim 17, Osswald is silent on wherein the front wall includes a door.

Taylor teaches wherein the front wall includes a door (Paragraph 0017). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide wherein the front wall includes a door. Doing so would allow the operator to enter and leave the device quickly and easily while protecting the operator from debris.

41. Claims 19 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of Taylor, Anglin, and Ichikawa.

42. Regarding claim 19, Osswald is silent on wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end.

Ichikawa teaches wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end (Figure 1). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first

sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end. Doing so would provide space for mechanical equipment below the cab while reducing the size of the device.

Double Patenting

43. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(I)(1) - 706.02(I)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

44. Claims 1, 3-5 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over claims 4, 16, and 8 of copending Application No. 14311978 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because the claims in 14311978 are contain the same claim elements with additional claim elements. Claim 8 is rejected in view of claim 15 of 14311978. Claims 9, 10, 12-15, and 17 are rejected in view of claims 8, and 19 of 14311978. 20 is rejected in view of claims 8, 17, and 20 of 14311978.

45. Claims 1, 3-5 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 4, 16, and 8 of copending Patent No. 10259287. Although the claims at issue are not identical, they are not patentably distinct from each other because the claims in 10259287 are contain the same claim elements with additional claim elements. Claim 8 is rejected in view of claim 15 of 10259287. Claims 9, 10, 12-15, and 17 are rejected in view of claims 8 and 19 of 10259287. 20 is rejected in view of claims 8, 17, and 20 of 10259287. These are all in view of U.S. PGPUB 20090038186 to Osswald et al. (Osswald) which teaches the vehicle as a lawn mowing vehicle. It would have been obvious to one of ordinary skill in the art to have modified the teachings of 10259287 with the teachings of Osswald to provide wherein the vehicle is a lawn mower. Doing so would give the device another utility by allowing the device to cut grass and allow the engine to be cooled.

Allowable Subject Matter

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

Conclusion

47. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

48. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN S ANDERSON II whose telephone number is (571)272-2055. The examiner can normally be reached on M-F 8-5.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/STEVEN S ANDERSON II/
Examiner, Art Unit 3762
9/20/19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Orvell B. Reynolds	Art Unit	: 3762
Serial No.	: 16/125,009	Examiner	: Anderson II, Steven S.
Filed	: September 7, 2018	Conf. No.	: 5892
Title	: Air Conditioning System for an Open Motorized Vehicle		

MAIL STOP AMENDMENT

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

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION
MAILED MAY 24, 2019

TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the Office Action mailed May 24, 2019. In the Office Action, the Examiner set a three-month period in which to reply, i.e., by August 24, 2019. This paper is being filed on August 23, 2019. Thus, this paper is timely.

Please amend the above-identified application as follows and consider the following remarks and arguments.

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

Remarks/Arguments begin on page 6 of this paper.

Listing of Claims:

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

- 1) (previously presented) An enclosure system for a lawn mower, the system comprising:
a cab assembly having a front wall, a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume, the cab assembly being adapted to secure to a mower frame of the lawn mower such that a user may occupy the interior volume while operating the lawn mower; and
an air conditioning unit adapted to receive rotary motion from an engine of the lawn mower, the air conditioning unit at least partially defining a rear wall disposed opposite the front wall.
- 2) (previously presented) The system of claim 1, wherein the cab assembly includes a lower frame adapted to secure to the mower frame such that the front wall is disposed in front of an operator seat of the lawn mower when the lower frame is secured to the mower frame.
- 3) (previously presented) The system of claim 2, wherein the lower frame is shaped to correspond to the mower frame.
- 4) (original) The system of claim 2, wherein the front wall is at least partially defined by a door.
- 5) (previously presented) The system of claim 1, wherein conditioned air produced by the air conditioning unit is emitted into the interior volume from the rear wall.
- 6) (original) The system of claim 1, wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height.
- 7) (cancelled)

- 8) (original) The system of claim 1, wherein at least one of the first sidewall and the second sidewall is transparent.
- 9) (currently amended) An enclosure system for a lawn mower, the system comprising:
a cab assembly comprising an enclosed frame defining an interior volume, wherein the enclosed frame includes a door and is adapted to secure to a mower frame of the lawn mower such that a user may occupy the interior volume while operating the lawn mower;
and
an air conditioning unit ~~having an evaporator unit~~ including at least one vent from which conditioned air is emitted directly into the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the ~~evaporator unit~~ at least one vent is disposed opposite the door.
- 10) (previously presented) The system of claim 9, wherein the enclosed frame is adapted to secure to the mower frame such that when the enclosed frame is secured to the mower frame the door is disposed in front of an operator seat of the vehicle.
- 11) (original) The system of claim 10, wherein a portion of the enclosed frame is shaped to correspond to the mower frame.
- 12) (original) The system of claim 10, wherein the air conditioning unit is disposed behind the operator seat.
- 13) (original) An enclosure system for a lawn mower, the system comprising:
a cab assembly having a front wall, a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume, wherein the cab assembly is adapted to secure to a mower frame of the lawn mower such that a user may occupy the interior volume while operating the lawn mower; and

an air conditioning unit configured to produce conditioned air,
wherein the air conditioning unit is adapted to be powered in part by rotary motion
transmitted from an engine of the lawn mower, the air conditioning unit being
secured in relation to the cab assembly such that conditioned air produced by the air
conditioning unit is emitted directly into the interior volume.

14) (original) The system of claim 13, wherein one or more components of the air conditioning
unit define a rear wall disposed opposite the front wall.

15) (canceled)

16) (original) The system of claim 14, wherein the cab assembly includes a lower frame adapted
to be secured to the mower frame such that when the lower frame is secured to the mower
frame the front wall is disposed in front of an operator seat of the lawn mower and the rear
wall is disposed behind the operator seat.

17) (original) The system of claim 16, wherein the front wall includes a door.

18) (original) The system of claim 16, wherein the cab assembly has a height that increases as the
cab assembly extends from the rear wall to the front wall.

19) (original) The system of claim 13, wherein the first sidewall and the second sidewall each
have a first end proximal to the front wall and a second end opposite the first end, wherein a
height of the first sidewall and the second sidewall decreases as each sidewall extends from
the first end to the second end.

20) (original) The system of claim 13, wherein at least one of the first sidewall, the second
sidewall, and the front wall is semitransparent.

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21) (currently amended) The system of claim 9, wherein the ~~evaporator unit includes~~ at least one vent is disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame.

REMARKS/ARGUMENTS

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, Claims 1–6 and 8–14, and 16–21 are pending in the application with Claims 1, 9, and 13 being independent. By this, claims 9 and 21 are amended and claim 15 is cancelled without prejudice to or disclaimer of the subject matter therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

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

Claim Interpretation Under 35 U.S.C. § 112(f)

On pages 2–5 of the present Office Action, the Office asserts that structural feature of an “evaporator unit”, as previously recited in currently amended claims 9 and 21 and canceled claim 15 warrants interpretation under 35 U.S.C. § 112(f). Applicant respectfully disagrees. “[A]bsence of the words ‘means’ or ‘step’ in a claim creates a rebuttable presumption that the claim element is not to be treated accordance with 35 U.S.C. § 112(f).” MPEP § 2181. No claim within the listing of claims submitted in Applicant’s April 17, 2019 response includes the word “means” or “step”. As such, all claims submitted in Applicant’s April 17, 2019 response are entitled to the rebuttable presumption against § 112(f) treatment. Although the presumption against § 112(f) treatment may be overcome when a claim element recites function but fails to recite sufficient structure to perform the function, such is not the case with respect to the “evaporator unit” previously recited in claims 9, 15, and 21 within the April 17, 2019 listing of claims. Rather, the previously recited evaporator unit is recited in non-functional terms. Accordingly, the

presumption against § 112(f) treatment has not been overcome. Therefore, Applicant respectfully submits the Office's interpretation of the structural feature of an "evaporator unit" under § 112(f) is improper. Accordingly, does not concede that the Office's interpretation of an "evaporator unit" is correct or appropriate.

However, without acquiescing to the propriety of the Office's interpretation of such structural feature and solely in an effort to expedite examination, Applicant has amended claims 9 and 21 as to not recite the structural feature of an "evaporator unit" and has canceled claim 15 to render the Office's § 112(f) interpretation of such claims moot.

Rejections Under 35 U.S.C. § 103

Claims 1–4 and 8 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent Pub. No. 2012/0205946 ("Taylor") in view of U.S. Patent No. 3,306,067 ("Anglin") and U.S. Patent Pub. No. 2009/0038186 ("Osswald"). Claim 5 is rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Taylor in view of Anglin, Osswald, and U.S. Patent No. 6,261,173 ("Odebrecht"). Claim 6 is rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Taylor in view of Anglin, Osswald, and U.S. Patent Pub. No. 2013/0118708 ("Ichikawa"). Claims 9–12 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Taylor in view of Osswald, Odebrecht, and U.S. Patent No. 3,948,312 ("Nishet"). Claims 13–15, and 20 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Osswald in view of Taylor and Anglin. Claims 16 and 17 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Osswald in view of Odebrecht, Ichikawa, Anglin, and Taylor. Claim 19 is rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Osswald in view of Taylor, Anglin, and Ichikawa. Applicant respectfully traverses these rejections.

Claims 1 and 13

Because the Office has failed to identify where each recited feature of independent claims 1 and 13 is found within the prior art, a *prima facie* case of obviousness has not been established and the § 103 rejections pending against such claims cannot properly be sustained. As such, Applicant is entitled to either an indication of allowance for claims 1–6, 8, and 13, 14, and 16–20 or a new, non-final action properly rejecting such claims.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. (*Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (B.P.A.A.I. 1979)). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (*In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974)). However, obviousness cannot be established by merely demonstrating that each element of the claimed invention was, independently, known in the prior art. (*KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 401 (2007)). Moreover, “rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” (MPEP § 2142 (quoting *In re Kahn* with approval)). In fact, the “key to supporting any rejection under 35 U.S.C. [§] 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious[.]” and “the analysis supporting the rejection under 35 U.S.C. [§] 103 should be made explicit. (MPEP § 2142 (citing *KSR Int’l Co.* at 418)). If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious (MPEP § 2143.03 (citing *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988)).

In its rejection of independent claim 1, the Office relies on Taylor as teaching “a front wall, a first sidewall, a second sidewall, and a ceiling that collectively define an interior” where

the cab assembly is “adapted to secure to a mower frame of the lawn mower”, as recited in independent claim 1.¹ Office Action pp. 5–6. However, as previously noted by Applicant in the Applicant Arguments/Remarks Made in an Amendment filed on April 17, 2019, Taylor does not disclose an enclosed cab adapted to secure to the frame of a lawn mower. The vehicle disclosed in Taylor is not a lawn mower, but rather a work vehicle with features consistent with that of a conventional front-end loader, such as an operator controlled lifting structure. *See* Taylor ¶ [0015], Figures 1 and 3. Accordingly, because the vehicle of Taylor is not a lawn mower, Taylor necessarily does not teach at least the feature of a “cab assembly being adapted to secure to a mower frame of the lawn mower” within independent claim 1 as suggested by the Office. Therefore, the Office has failed to identify where at least this claim limitation of independent claim 1 is found within the prior art.

Further, on page 6 of the present Office Action, the Office relies on the mechanical linkage existing between an engine crankshaft and compressor disclosed in Anglin as teaching the feature of “an air conditioning unit adapted to receive rotatory motion from an engine of the lawn mower”, as recited in previously presented independent claim 1. The Office similarly relies on Anglin to teach the feature of the “air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower” recited in previously presented independent claim 13 on pages 11–12 of the present Office Action. However, as was previously noted by Applicant in the Applicant Arguments/Remarks Made in an Amendment filed on April 17, 2019, Anglin does not disclose or reference a lawn mower or lawn mower

¹ Page 6 of the present Office Action actually identifies the Taylor reference as teaching a cab assembly being adapted to secure to a vehicle frame generally as recited in the initial filing of the claims instead of lawn mower frame as recited in the claim amendments submitted on April 17, 2019. As the claim limitation of “the cab assembly being adapted to secure to the frame of a lawn mower” is not addressed elsewhere in the Office’s rejection of Claim 1, Applicant has assumed Taylor is being relied upon as teaching the foregoing limitation.

engine. Rather, the teachings of Anglin pertain only to the air conditioning system of a conventional passenger automobile, such as a car having a forwardly mounted engine. *See* Anglin col. 1, l. 29–35, Figures 1 and 2. Applicant respectfully submits the distinction between the engine of the passenger automobile in Anglin and that of a lawn mower on which users can ride and to which the enclosure system of the present application may be applied is meaningful.

For instance, in Anglin, the mechanical linkage responsible for transmitting rotary motion from the vehicle's engine to the vehicle's air conditioning system utilizes a belt connection 32 between a pulley 28 associated with the air conditioning system's compressor 18 and a dual pulley 24 that is associated with the crankshaft 22 of the vehicle's engine and is positioned parallel to the compressor pulley 28. Anglin col. 2, ll. 43–56, Figure 2. Because the engine's crankshaft 22 in Anglin extends horizontally relative to a ground surface, the compressor pulley 28 can be positioned parallel to dual pulley 24 while the compressor 18 is lying in a desired side position (i.e., in a position where the compressor's 18 input shaft 34 extends horizontally relative to a ground surface and pulley 28 extends vertically relative to a ground surface) to facilitate the belt connection 32 linking the vehicle's engine to its air conditioning system. *See id.* at Figure 2. Unlike the engine of Anglin, however, the engines of riding lawn mowers to which the enclosure system of the present disclosure may be attached often include crankshafts extending vertically relative to a ground surface, as shown, e.g., by elements 135 and 136 in FIGS. 6A and 8 of the drawings of the present application. Accordingly, to apply the parallel pulley mechanical linkage taught in Anglin to lawn mowers having the foregoing engine configuration, the compressor of the air conditioning system would need to be in an undesired upright position such that the compressor's input shaft extends vertically and its pulley extends horizontally relative to a ground surface. It is generally known

within the art, that placing an air conditioning compressor like that utilized in the present application or that disclosed in Anglin in such an upright configuration can cause the lubricating oil within the compressor to settle in an undesired location and ultimately damage the compressor or render it inoperable. Thus, for at least this reason, Applicant respectfully submits that the engine of the passenger automobile disclosed in Anglin cannot be fairly characterized as the “engine of the lawn mower” recited in independent claims 1 and 3 of the present application.

Accordingly, because Anglin does not disclose or reference a lawn mower or lawn mower engine, Anglin necessarily does not teach the feature of an “air conditioning unit adapted to receive rotary motion from an engine of the lawn mower”, as recited within independent claim 1, or “the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower”, as recited within independent claim 13, as suggested by the Office. Therefore, the Office has failed to identify where at least these claim limitations of independent claims 1 and 13 are found within the prior art.

In sum, because the Office has failed to identify where one or more of the claim limitations recited in independent claims 1 and 13 are found within the prior art, the Office has not met its burden of establishing *prima facie* obviousness of the foregoing claims and the claims that depend therefrom. Because currently pending claims 1–6, 8, and 13, 14, and 15–20 have not yet been properly rejected by the Office, Applicant respectfully submits that Applicant is entitled to either an indication of allowance for such claims or the issuance of a new, non-final action that satisfies the statutory requirements and properly identifies where each and every claim limitation is found within the prior art.

With respect to independent claim 1, Applicant also submits that it would not be obvious to one of ordinary skill in the art to modify the work vehicle of Taylor based on the teachings of

Osswald in the manner suggested by the Office on page 6 of the present Office Action as doing so would require removal of the implement of the lifting structure disclosed in Taylor and alter the principle operation thereof. On page 6 of the present Office Action, the Office concedes that the vehicle of Taylor is not a lawn mower and relies on Osswald to cure such deficiency.

However, the vehicle of Osswald is a lawn mower only to the extent that a lawn mower attachment may be attached to the lifting arms of the vehicle disclosed in Osswald. Modifying Taylor in the manner taught in Osswald to include a mower attachment would necessarily require removal of implement 18 of the vehicle's lifting structure 16. Taylor refers to an implement as a device which "can be selectively elevated to a position above side panels on a wheel loader and can be selectively tilted to 'dump' materials therefrom." Taylor ¶ [0003].

Osswald fails to provide any indication that the mower attachment disclosed therein is capable of such dumping functionality. Therefore, modifying the lifting structure 16 of Taylor to replace implement 18 with the mower attachment of Osswald would change the principle operation of the lifting structure, and thus overall functionality of work vehicle disclosed in Taylor.

Accordingly, because a proposed modification or combination of prior art references cannot change the principle operation of the reference being modified, it would not be obvious to one of ordinary skill in the art to modify the vehicle of Taylor based on the teachings of Osswald in the manner suggested by the Office. *See* MPEP § 2143.01(VI). Thus, for at least this reason, the Office's § 103 rejection of independent claim 1 should be withdrawn.

Moreover, because any conditioned air produced by an HVAC system would readily escape from the operator's cab of the vehicle disclosed in Osswald, Applicant further submits that it would not be obvious to one of ordinary skill in the art to modify the vehicle of Osswald based on the teachings of Taylor in the manner suggested by the Office on page 11 of the

present Office Action. The operator's cab of the vehicle disclosed in Osswald is referred to as including "a rollover protection cage" and is consistently illustrated as having a plurality of openings in the cab's left and right sidewalls. Osswald ¶ [0085] and Figures 1–5, 10, 11, 13–26, 34, 46, 47, 51–56, 58–70. Accordingly, any conditioned air directed into the interior of the cab assembly of Osswald would freely diffuse into the external environment, thereby effectively rendering any HVAC system associated with the cab assembly pointless. Thus, for at least this reason, it would not be obvious to one of ordinary skill in the art to modify the vehicle of Osswald based on the teachings of Taylor to arrive at the subject matter recited in independent claim 13. Therefore, for at least this reason, the Office's § 103 rejection of independent claim 13 should be withdrawn.

Based on at least the foregoing reasons, Applicant respectfully submits that independent claims 1 and 13 are allowable and requests that the § 103 rejections against such claims be withdrawn. By virtue of their dependency from either independent claim 1 or claim 13, in addition to their own distinguishing features, claims 2–6, 8, 14, and 16–20 should also be found allowable and the § 103 rejections pending against such claims should be withdrawn.

Claim 5

With respect to claim 5, it would not be obvious to one of ordinary skill in the art to modify the cab assembly and HVAC system of Taylor based on the teachings of Odebrecht to emit conditioned air from a rear wall of the cab assembly, as recited in currently pending claim 5, because doing so would render Taylor unsatisfactory for its intended purpose. The HVAC system and cab assembly arrangement taught within Taylor is specifically designed as to remove non-transparent evaporable matter forming on the forward and rear viewing regions of a work vehicle by providing a recirculating flow of air to such regions. Taylor ¶¶ [0007]–[0010], [0016].

To this end, the HVAC system in Taylor includes a plurality of outlets 50 located in close proximity to a forward portion 32 of the cab that supports the work vehicle's 10 front viewing region/door 34 from which conditioned air generated by the HVAC system is emitted and an inlet 46 positioned along the rear portion 36 of the cab beneath the rear viewing region 42 to recapture air emitted from the plurality of outlets 50. *See* Taylor ¶¶ [0015], [0017], [0019], and [0022], Figures 2–3. The inlet 46 is a component of a conduit 48 which extends from the rear of the cab to the front of the cab to direct air towards the forward viewing of the cab for emission from the plurality of outlets 50. *See id.* at ¶¶ [0021]–[0022], Figures 2–3. The intake of air provided by the rearwardly disposed inlet 46, the direction of air from the rear to front portion of the cab facilitated by the conduit 48, and output of air from forwardly disposed plurality of outlets 50 collectively provide a circulating airflow 54 sufficient to remove a non-transparent layer 56 of a phase of an evaporable matter forming on a surface of both the vehicle's forward and rear viewing regions. *Id.* at ¶ [0022], Figure 3. Modifying the cab assembly/HVAC system arrangement to emit conditioned air from a rear wall of the vehicle in the manner suggested by the Office would, however, counteract the purpose of conduit 48 and impede the HVAC system's ability to remove evaporable matter from the vehicle's forward viewing region.

On page 7 of the present Office Action, the Office concedes that Taylor fails to disclose the feature of “wherein conditioned air produced by the air conditioning unit is emitted into the interior volume from the rear wall”, as recited in claim 5, and relies on the teachings of Odebrecht to cure such deficiency. The open vehicle disclosed in Odebrecht includes an outflow device 27 that is positioned downstream of an air inflow 26 and emits conditioned air from a rear wall of the vehicle's interior. Modifying the rear wall of the cab assembly of Taylor to include an outflow device configured to emit conditioned air consistent with the teachings of Odebrecht

would permit the air taken in by inlet 46 to escape into the cab's interior volume prior to reaching the plurality of openings 50 positioned near the vehicle's forward viewing region 34, thereby negating the purpose of conduit 48 and disrupting the recirculating airflow 54 taught within Taylor. *See* Taylor, Figures 2–3. Modifying Taylor in the foregoing manner would effectively result in the HVAC system of the vehicle having both an air inlet and outlet within the rear wall of the cab assembly. As such, the resulting HVAC system would produce an airflow that circulates proximate to and about the cab assembly's rear wall, thereby depriving the forward portion of the cab the airflow necessary to remove evaporable matter from the vehicle's forward viewing region. *See* Taylor, ¶¶ [0016], [0021]. Accordingly, modifying Taylor based on the teachings of Odebrecht in the manner suggested by the Office would render Taylor unsatisfactory for its intended purpose.

Therefore, because a proposed modification cannot render a prior art invention unsatisfactory for its intended purpose, it would not be obvious to one of ordinary skill in the art to modify Taylor based on the teachings of Odebrecht to arrive at the subject matter recited in claim 5 of the present application. *See* MPEP § 2143.01(V). For at least this reason, the Office's current § 103 rejection against claim 5 should be withdrawn.

Claim 9

Without acquiescing to the propriety of the § 103 rejection currently pending against independent claim 9, and solely in an effort to expedite prosecution, Applicant has amended independent claim 9 to recite, in part, “an air conditioning unit including at least one vent from which conditioned air is emitted directly into the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the at least one vent is disposed opposite the door.” No single prior art reference currently made of record teaches or suggests this feature.

Moreover, applicant respectfully submits that modifying the cab assembly/HVAC system of Taylor to include the foregoing structural features would not be obvious to one of ordinary skill in the art for at least the reason outlined above with respect to claim 5. Therefore, for at least these reasons, Applicant respectfully submits that independent claim 9 is allowable and requests reconsideration and withdrawal of the § 103 rejection currently pending against it. Moreover, by virtue of their dependency from claim 9, in addition to their own distinguishing features, Applicant respectfully submits claims 10–12 and 21 are also allowable and requests the § 103 rejections pending against such claims be withdrawn.

Claim 15

Claim 15 has been canceled, thereby rendering the Office's § 103 rejection against it moot.

Double Patenting

The Office rejects pending claims 1, 3–5, 8, 9, 10, 12–14, 17, and 20 on the ground of nonstatutory double patenting over the claims of U.S. Patent App. No. 14/311,978, now U.S. Patent No. 10,259,287 (the "'287 Patent"). (*Id.* at page 9).

Applicant reserves the right to dispute the Office's position that the claims at issue are not patentably distinct from the claims of the '287 Patent or to file a terminal disclaimer as appropriate. Specifically, Applicant will consider filing a terminal disclaimer if and when the claims are otherwise allowed and all other objections and/or rejections have been overcome.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims or characterizations of claim scope or referenced art, Applicant is not conceding in

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this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of the application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

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CONCLUSION

All grounds of objection or rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Office reconsider and withdraw them. A complete reply has been made to the outstanding Office Action. As such, Applicant believes that the application is in condition for allowance. If the Office believes, for any reason, that personal communications will expedite prosecution of this application, the Office is asked to telephone the undersigned at the number provided. Applicant respectfully requests prompt and favorable consideration of the Amendment and Reply.

Respectfully submitted

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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 Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Response to Arguments

2. Applicant's arguments filed 2/25/19 have been fully considered but they are not persuasive.
3. Applicant's arguments with respect to claims 1-6 and 8-21 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection. Examiner has provided motivation to combine from the cited from the references which were disputed and has provided a lawn mower as a secondary reference. Examiner has also provided additional references to properly teach a evaporation unit as disclosed in specification Paragraph 0095.

Claim Interpretation

4. The following is a quotation of 35 U.S.C. 112(f):

(f) Element in Claim for a Combination. – An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

The following is a quotation of pre-AIA 35 U.S.C. 112, sixth paragraph:

An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

5. The claims in this application are given their broadest reasonable interpretation using the plain meaning of the claim language in light of the specification as it would be understood by one of ordinary skill in the art. The broadest reasonable interpretation of a claim element (also commonly referred to as

a claim limitation) is limited by the description in the specification when 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, is invoked.

As explained in MPEP § 2181, subsection I, claim limitations that meet the following three-prong test will be interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph:

- (A) the claim limitation uses the term “means” or “step” or a term used as a substitute for “means” that is a generic placeholder (also called a nonce term or a non-structural term having no specific structural meaning) for performing the claimed function;
- (B) the term “means” or “step” or the generic placeholder is modified by functional language, typically, but not always linked by the transition word “for” (e.g., “means for”) or another linking word or phrase, such as “configured to” or “so that”; and
- (C) the term “means” or “step” or the generic placeholder is not modified by sufficient structure, material, or acts for performing the claimed function.

Use of the word “means” (or “step”) in a claim with functional language creates a rebuttable presumption that the claim limitation is to be treated in accordance with 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph. The presumption that the claim limitation is interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, is rebutted when the claim limitation recites sufficient structure, material, or acts to entirely perform the recited function.

Absence of the word “means” (or “step”) in a claim creates a rebuttable presumption that the claim limitation is not to be treated in accordance with 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph. The presumption that the claim limitation is not interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, is rebutted when the claim limitation recites function without reciting sufficient structure, material or acts to entirely perform the recited function.

Claim limitations in this application that use the word “means” (or “step”) are being interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, except as otherwise indicated in an

Office action. Conversely, claim limitations in this application that do not use the word “means” (or “step”) are not being interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, except as otherwise indicated in an Office action.

6. This application includes one or more claim limitations that do not use the word “means,” but are nonetheless being interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, because the claim limitation(s) uses a generic placeholder that is coupled with functional language without reciting sufficient structure to perform the recited function and the generic placeholder is not preceded by a structural modifier. Such claim limitation(s) is/are: evaporator unit, which is interpreted as a unit for evaporating, in claim 9, 15, and 21.

7. Per Paragraph 0095 the evaporator unit “a flow of coolant through the evaporator unit 52 through which a flow of air is motioned by a motorized centrifugal evaporator fan 55 for conveyance into the cab assembly 20 (FIG. 1) and includes a plastic housing that provides a mounting means to a pair of first fan vents 54a, a pair of second fan vents 54b, an internal evaporator fan 55, a fan speed knob 56 (FIG. 9), and a thermostatic temperature control knob 57. The first 54a and second 54b vents include respective rectangular and circular apertures, each further providing user-selectable air directing features to distribute the cooled air 82 (FIG. 3) throughout the cab assembly 20 (FIG. 1). The fan speed knob 56 (FIG. 9) and temperature knob 57 provide conventional fan speed control and coolant flow control, respectively, thereby providing selectable control of cooled air 82 (FIG. 3) within the cab assembly 20 (FIG. 1).” And will be interpreted as such.

Because this/these claim limitation(s) is/are being interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, it/they is/are being interpreted to cover the corresponding structure described in the specification as performing the claimed function, and equivalents thereof.

If applicant does not intend to have this/these limitation(s) interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, applicant may: (1) amend the claim limitation(s) to avoid it/them

being interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph (e.g., by reciting sufficient structure to perform the claimed function); or (2) present a sufficient showing that the claim limitation(s) recite(s) sufficient structure to perform the claimed function so as to avoid it/them being interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph.

Claim Rejections - 35 USC § 103

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

9. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103 are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or

nonobviousness.

10. Claims 1-4, and 8 is/are rejected under 35 U.S.C. 103 as being unpatentable over U.S. PG PUB 20120205946 to Taylor (Taylor) in view of U.S. Patent 3306067 to Anglin (Anglin) and U.S. PG PUB 20090038186 to Osswald et al. (Osswald).

11. Regarding claim 1, Taylor teaches a cab assembly having a front wall (34, Figure 3), a first sidewall (58, Figure 1), a second sidewall (58, Figure 1), and a ceiling (44, Figure 1) that collectively

define an interior volume, the cab assembly being adapted to secure to a vehicle frame of the vehicle such that a user may occupy the interior volume while operating the vehicle; and the air conditioning unit at least partially defining a rear wall disposed opposite the front wall (30, Figure 3).

Taylor is silent on an air conditioning unit adapted to receive rotary motion from an engine of the vehicle and being explicit that a radiator is present.

Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, Figure 2). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Anglin to provide wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower. Doing so would prevent overheating of the air conditioning system, save space, and/or provide improved cooling of the system (Col. 1 line 29 – Col. 2 line 7).

Taylor is silent on wherein the vehicle is a lawn mower and a vehicle similar to Taylors that explicitly recites a radiator.

Osswald teaches wherein the vehicle is a lawn mower (570, Figure 53) and comprises a radiator (Paragraph 0089 with airflow passage at 44 for the radiator which would be similar to grid of holes in Figure 1 of Taylor which appear to be a place for a radiator). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Osswald to provide wherein the vehicle is a lawn mower and to show that Taylor has a radiator. Doing so would give the device another utility by allowing the device to cut grass and allow the engine to be cooled.

12. Regarding claim 2, Taylor teaches the cab assembly includes a lower frame (frame, 60 appears to frame all the walls and therefore provide a lower frame) adapted to secure to the vehicle frame (12, Figure 1) such that the front wall is disposed in front of an operator seat of the vehicle when the lower

frame is secured to the vehicle frame (connection shown in Figures 1 and 3 which indicates the cab assembly is secured to the vehicle frame).

13. Regarding claim 3, Taylor teaches wherein the lower frame is shaped to correspond to the vehicle frame (connection indicates that the shape of the frames correspond to each other).

14. Regarding claim 4, Taylor teaches wherein the front wall is at least partially defined by a door (Paragraph 0017).

15. Regarding claim 8, Taylor teaches wherein at least one of the first sidewall and the second sidewall is transparent (58, Figure 3, Paragraph 0017).

16. Claim 5 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Anglin, Osswald, and U.S. Patent 6261173 to Odebrecht (Odebrecht).

17. Regarding claim 5, Taylor is silent on conditioned air produced by the air conditioning unit is emitted into the interior volume from the rear wall.

18. Odebrecht teaches an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume (21, Figures 1-3 has a heat exchanger and a fan per Col. 3 lines 38-47). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Odebrecht to provide an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable environment for a user of the device especially in the head/neck region (Col. 1 lines 28-33).

19. Claim 6 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Anglin, Osswald, and U.S. PGPUB 20130118708 to Ichikawa (Ichikawa).

20. Regarding claim 6, Taylor is silent on wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height.

Ichikawa teaches wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height (Figure 1). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height. Doing so would provide space for mechanical equipment below the cab while reducing the size of the device.

21. Claims 9-12 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Osswald, Odebrecht, and U.S. Patent 3948312 to Nishet (Nishet).

22. Regarding claim 9, Taylor teaches a cab assembly comprising an enclosed frame defining an interior volume (60, 34, 44, and 58, Figure 3), wherein the enclosed frame includes a door (34, Figure 3, Paragraph 0017) and is adapted to secure to a vehicle frame of the vehicle such that a user may occupy the interior volume while operating the vehicle (Figures 1 and 3); and an air conditioning unit (30, Figure 3) having an evaporator (68, Figure 3) with flow passage (seen in Figure 3) and outlets (50 that are circular and are adjustable per Paragraph 0022) a housing (48, Figure 3) a fan (52, Figure 3) configured to emit conditioned air directly into the interior volume (Figures 1 and 3 show a flowpath from outlets, which are interpreted as part of the evaporator unit to the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the evaporator unit is disposed opposite the door (Figure 3 shows the orientation).

Taylor is silent on wherein the vehicle is a lawn mower

Osswald teaches wherein the vehicle is a lawn mower (570, Figure 53) and comprises a radiator (Paragraph 0089 with airflow passage at 44 for the radiator which would be similar to grid of holes in Figure 1 of Taylor which appear to be a place for a radiator). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Osswald to provide wherein the vehicle is a lawn mower and to show that Taylor has a radiator. Doing so would give the device another utility by allowing the device to cut grass and allow the engine to be cooled.

Taylor is silent on a plastic housing, a pair of second fan vents 54b, a fan speed knob 56 (FIG. 9), and a thermostatic temperature control knob 57. The first 54a and second 54b vents include respective rectangular apertures, The fan speed knob 56 (FIG. 9) and temperature knob 57 provide conventional fan speed control and coolant flow control, respectively, thereby providing selectable control of cooled air 82 (FIG. 3) within the cab assembly 20 (FIG. 1).

Nishet teaches a fan speed and temperature control knob (26 and 28, Figure 1, Col. 5 line 44 – Col. 6 line 5). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Nishet to provide a fan speed and temperature control knob. Doing so would allow a user to control the temperature and speed of conditioned air flow.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide additional pairs of outlets, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. (In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)) and one would do so to provide additional cooling to the cabin.

One of skill in the art would recognize that changes in configuration are a matter of design choice such that using rectangular outlets in addition to circular outlets is obvious when the particular configuration result in no change in cooling ability of the device. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)).

23. Regarding claim 10, Taylor teaches wherein the enclosed frame is adapted to secure to the vehicle frame (12, Figure 1) such that when the enclosed frame is secured to the vehicle frame the door is disposed in front of an operator seat of the vehicle (Figures 1 and 3 show the orientation where frame, 60 appears to frame all the walls and therefore provide a frame that is attached to the vehicle frame).

24. Regarding claim 11, Taylor teaches wherein a portion of the enclosed frame is shaped to correspond to the mower frame (connection shown in Figures 1 and 3 which indicate the shape corresponds to the mower frame).

25. Regarding claim 12, Taylor teaches wherein the air conditioning unit is disposed behind the operator seat (30, Figure 3 shows the orientation behind seat, 74).

26. Claim 21 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Osswald, Odebrecht, Nishet, and Ichikawa.

27. Regarding claim 21, Taylor is silent on wherein the evaporator unit includes at least one vent disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame.

28. Ichikawa teaches wherein the evaporator unit includes at least one vent disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame (15b, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the evaporator unit includes at least one vent disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame. Doing so would provide conditioned air to an upper part of the cabin, increasing a users comfort.

29. Claims 13-15 and 20 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of Taylor, and Anglin.

30. Regarding claim 13, Osswald teaches a cab assembly (22, Figure 1), a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume (Figure 1 shows the walls), wherein the cab assembly is adapted to secure to a mower frame (14 and 16, Figure 1) of the lawn mower such that a user may occupy the interior volume while operating the lawn mower (Figure 53 has a lawn mower, 570).

Osswald is silent on a front wall and an air conditioning unit configured to produce conditioned air, wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower, the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume.

Taylor teaches an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume (30, Figure 3 with outlets, 50 and because it is all considered part of the air conditioning unit it is directly outlet to the cabin) and a front wall (34, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide an air conditioning unit configured to produce conditioned air the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable and cool environment for a user and protection from the elements including debris.

Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, Figure 2). It would have

been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Anglin to provide wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower. Doing so would prevent overheating of the air conditioning system, save space, and/or provide improved cooling of the system (Col. 1 line 29 – Col. 2 line 7).

31. Regarding claim 14, Osswald teaches is silent on wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall.

32. Taylor teaches wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall (48, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall. Doing so would provide a comfortable and cool environment for a user and protect the air conditioning unit from the elements including debris.

33. Regarding claim 15, Osswald is silent on an evaporator unit and a condenser, and wherein the rear wall is defined at least partially by at least one of the evaporator unit and the condenser.

Taylor teaches an air conditioning unit (30, Figure 3) having an evaporator (68, Figure 3) with flow passage (seen in Figure 3) and outlets (50 that are circular and are adjustable per Paragraph 0022) a housing (48, Figure 3) a fan (52, Figure 3) configured to emit conditioned air directly into the interior volume (Figures 1 and 3 show a flowpath from outlets, which are interpreted as part of the evaporator unit to the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the evaporator unit is disposed opposite the door (Figure 3 shows the orientation) wherein the evaporator unit or condenser forms part of the back wall (48, Figure 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide an air conditioning unit configured to produce conditioned air the air conditioning unit being

secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable and cool environment for a user and protection from the elements including debris.

Taylor is silent on a plastic housing, a pair of second fan vents 54b, a fan speed knob 56 (FIG. 9), and a thermostatic temperature control knob 57. The first 54a and second 54b vents include respective rectangular apertures, The fan speed knob 56 (FIG. 9) and temperature knob 57 provide conventional fan speed control and coolant flow control, respectively, thereby providing selectable control of cooled air 82 (FIG. 3) within the cab assembly 20 (FIG. 1).

Nishet teaches a fan speed and temperature control knob (26 and 28, Figure 1, Col. 5 line 44 – Col. 6 line 5). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Nishet to provide a fan speed and temperature control knob. Doing so would allow a user to control the temperature and speed of conditioned air flow.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide additional pairs of outlets, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. (In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)) and one would do so to provide additional cooling to the cabin.

One of skill in the art would recognize that changes in configuration are a matter of design choice such that using rectangular outlets in addition to circular outlets is obvious when the particular configuration result in no change in cooling ability of the device. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)).

34. Regarding claim 20, Osswald wherein at least one of the first sidewall, the second sidewall, and the front wall is semitransparent (Figure 1 shows a mesh which indicates the sidewalls are at least semi transparent).

35. Claims 16 and 17 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of Odebrecht, Ichikawa, Anglin, and Taylor.

36. Regarding claim 16, Osswald is silent on the cab assembly includes a lower frame adapted to secure to the mower frame such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame and the rear wall is disposed behind the operators seat.

Taylor teaches the cab assembly includes a lower frame (frame, 60 appears to frame all the walls and therefore provide a lower frame) adapted to secure to the vehicle frame (12, Figure 1) such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame (connection shown in Figures 1 and 3 which indicates the cab assembly is secured to the vehicle frame) and the rear wall is disposed behind the operators seat (Figures 1 and 3). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide the cab assembly includes a lower frame adapted to secure to the mower frame such that the front wall is disposed in front of an operator seat of the vehicle when the lower frame is secured to the vehicle frame and the rear wall is disposed behind the operators seat. Doing so would provide strength to the device and allow it to be easily assembled and disassembled.

37. Regarding claim 17, Osswald is silent on wherein the front wall includes a door.

Taylor teaches wherein the front wall includes a door (Paragraph 0017). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Taylor to provide wherein the front wall includes a door. Doing so would allow the operator to enter and leave the device quickly and easily while protecting the operator from debris.

38. Claims 19 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of Taylor, Anglin, and Ichikawa.

39. Regarding claim 19, Osswald is silent on wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end.

Ichikawa teaches wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end (Figure 1). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end. Doing so would provide space for mechanical equipment below the cab while reducing the size of the device.

Double Patenting

40. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed.

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

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

41. Claims 1, 3-5 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over claims 4, 16, and 8 of copending Application No. 14311978 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because the claims in 14311978 are contain the same claim elements with additional claim elements. Claim 8 is rejected in view of claim 15 of 14311978. Claims 9, 10, 12-15, and 17 are rejected in view of claims 8, and 19 of 14311978. 20 is rejected in view of claims 8, 17, and 20 of 14311978.

42. Claims 1, 3-5 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 4, 16, and 8 of copending Patent No. 10259287. Although the claims at issue are not identical, they are not patentably distinct from each other because the claims in 10259287 are contain the same claim elements with additional claim elements. Claim 8 is rejected in view of claim 15 of 10259287. Claims 9, 10, 12-15, and 17 are rejected in view of claims 8 and 19 of 10259287. 20 is rejected in view of claims 8, 17, and 20 of 10259287. These are all in view of U.S. PGPUB 20090038186 to Osswald et al. (Osswald) which teaches the vehicle as a lawn mowing vehicle. It would have been obvious to one of ordinary skill in the art to have modified the teachings of 10259287 with the teachings of Osswald to provide wherein the vehicle is a lawn mower. Doing so would give the device another utility by allowing the device to cut grass and allow the engine to be cooled.

Allowable Subject Matter

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

Conclusion

44. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN S ANDERSON II whose telephone number is (571)272-2055. The examiner can normally be reached on M-F 8-5.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/STEVEN S ANDERSON II/
Examiner, Art Unit 3762
5/23/19

Notice of References Cited	Application/Control No. 16/125,009		Applicant(s)/Patent Under Reexamination Reynolds, Orville B.	
	Examiner STEVEN S ANDERSON II		Art Unit 3762	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-3948312-A	04-1976	Nisbet; Arthur Robert	B60H1/00064	165/204
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20190523

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Orvell B. Reynolds	Art Unit	: 3762
Serial No.	: 16/125,009	Examiner	: Anderson II, Steven S.
Filed	: September 7, 2018	Conf. No.	: 5892
Title	: Air Conditioning System for an Open Motorized Vehicle		

MAIL STOP AMENDMENT

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

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION
MAILED FEBRUARY 25, 2019

TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the Office Action mailed February 25, 2019. In the Office Action, the Examiner set a three-month period in which to reply, i.e., by May 25, 2019. This paper is being filed on April 17, 2019. Thus, this paper is timely.

Please amend the above-identified application as follows and consider the following remarks and arguments.

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

Remarks/Arguments begin on page 6 of this paper.

Listing of Claims:

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

- 1) (currently amended) An enclosure system for a lawn mower vehicle, the system comprising:
a cab assembly having a front wall, a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume, the cab assembly being adapted to secure to a vehicle mower frame of the lawn mower vehicle such that a user may occupy the interior volume while operating the lawn mower vehicle; and
an air conditioning unit adapted to receive rotary motion from an engine of the lawn mower vehicle, the air conditioning unit at least partially defining a rear wall disposed opposite the front wall.
- 2) (currently amended) The system of claim 1, wherein the cab assembly includes a lower frame adapted to secure to the vehicle mower frame such that the front wall is disposed in front of an operator seat of the lawn mower vehicle when the lower frame is secured to the vehicle mower frame.
- 3) (currently amended) The system of claim 2, wherein the lower frame is shaped to correspond to the vehicle mower frame.
- 4) (original) The system of claim 2, wherein the front wall is at least partially defined by a door.
- 5) (currently amended) The system of claim [[4]] 1, wherein conditioned air produced by the air conditioning unit is emitted into the interior volume from the rear wall. ~~the air conditioning unit includes an evaporator unit configured to emit conditioned air, wherein the evaporator unit is disposed opposite the door.~~

- 6) (original) The system of claim 1, wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height.
- 7) (cancelled)
- 8) (original) The system of claim 1, wherein at least one of the first sidewall and the second sidewall is transparent.
- 9) (currently amended) An enclosure system for a lawn mower vehicle, the system comprising:
a cab assembly comprising an enclosed frame defining an interior volume, wherein the enclosed frame includes a door and is adapted to secure to a ~~vehicle~~ mower frame of the lawn mower vehicle such that a user may occupy the interior volume while operating the lawn mower vehicle; and
an air conditioning unit having an evaporator unit from which ~~configured to emit~~ conditioned air is emitted directly into the interior volume, the air conditioning unit being secured in relation to the enclosed frame such that the evaporator unit is disposed opposite the door.
- 10) (currently amended) The system of claim 9, wherein the enclosed frame is adapted to secure to the ~~vehicle~~ mower frame such that when the enclosed frame is secured to the ~~vehicle~~ mower frame the door is disposed in front of an operator seat of the vehicle.
- 11) (original) The system of claim 10, wherein a portion of the enclosed frame is shaped to correspond to the mower frame.
- 12) (original) The system of claim 10, wherein the air conditioning unit is disposed behind the operator seat.
- 13) (original) An enclosure system for a lawn mower, the system comprising:
a cab assembly having a front wall, a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume, wherein the cab assembly is adapted to secure

to a mower frame of the lawn mower such that a user may occupy the interior volume while operating the lawn mower; and
an air conditioning unit configured to produce conditioned air,
wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower, the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume.

- 14) (original) The system of claim 13, wherein one or more components of the air conditioning unit define a rear wall disposed opposite the front wall.
- 15) (original) The system of claim 14, wherein the air conditioning unit includes an evaporator unit and a condenser, and wherein the rear wall is defined at least partially by at least one of the evaporator unit and the condenser.
- 16) (original) The system of claim 14, wherein the cab assembly includes a lower frame adapted to be secured to the mower frame such that when the lower frame is secured to the mower frame the front wall is disposed in front of an operator seat of the lawn mower and the rear wall is disposed behind the operator seat.
- 17) (original) The system of claim 16, wherein the front wall includes a door.
- 18) (original) The system of claim 16, wherein the cab assembly has a height that increases as the cab assembly extends from the rear wall to the front wall.
- 19) (original) The system of claim 13, wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end.

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20) (original) The system of claim 13, wherein at least one of the first sidewall, the second sidewall, and the front wall is semitransparent.

21) (new) The system of claim 9, wherein the evaporator unit includes at least one vent disposed above an operator seat of the lawn mower when the enclosed frame is secured to the mower frame.

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REMARKS/ARGUMENTS

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, Claims 1–6 and 8–20 are pending in the application with Claims 1, 9, and 13 being independent. By this, Claims 1–3, 5, 9, and 10 are amended, Claim 7 is cancelled without prejudice to or disclaimer of the subject matter therein, and new Claim 21 is added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

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

Summary of April 10, 2019 Telephonic Interview

Applicant would like to thank Examiner Anderson for the courtesies extended to Applicant's representative Gary N. Stewart (Reg. No. 74,358) during the April 10, 2019 interview. During the interview, Applicant's representative and the Examiner discussed the 35 U.S.C. § 103 rejections presented within the Office Action mailed February 25, 2019 (the "Office Action") against independent claims 1 and 13. Specifically, Applicant's representative submitted and Examiner agreed that the present Office Action fails to provide a clearly articulated rationale as to why it would be obvious to one of skill in the pertinent art to modify the vehicle of U.S. Patent Pub. No. 2012/0205946 ("Taylor") and U.S. Patent Pub. No. 2009/0038186 ("Osswald") to include "an air conditioning unit adapted to receive rotary motion from an engine" or an air conditioning unit "adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower" recited in previously presented Claims 1 and 13,

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respectively, and thus fails to satisfy the burden of proof required to establish *prima facie* obviousness for such claims.

In an effort solely to expedite subsequent prosecution of Claims 1 and 13, and without acquiescing to the propriety of the current rejections against such claims, Applicant's representative and Examiner discussed reasons as to why it would not be obvious to one of skill in the art to combine the teachings of Taylor and U.S. Patent No. 3,306,067 ("Anglin") to arrive at the subject matter of Claim 1 and reasons as to why it would not be obvious to combine the teachings of Taylor, Anglin, Osswald, U.S. Patent No. 6,261,173 ("Odebrecht"), and U.S. Patent Pub. No. 2013/0118708 ("Ichikawa") to arrive at the subject matter of Claim 13 in the manner suggested within the Office Action. However, no specific agreement was reached. The rejection of independent Claim 9 under § 102 as allegedly anticipated by Taylor was also briefly discussed. However, no specific agreement was reached. Examiner also clarified that Claims 14, 15, and 17 would also be allowable if rewritten in independent form, despite such claims not being addressed within the present Office Action.

Rejections Under 35 U.S.C. § 112

Claim 11 currently stands rejected under 35 U.S.C. § 112 as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor regards as the invention. The amendments to Claim 9, from which Claim 11 depends, obviates the § 112 Rejection. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 9, 10, and 12 are rejected under 35 U.S.C. as allegedly being anticipated by Taylor. Applicant respectfully traverses these rejections.

Without acquiescing to the propriety of the rejections, and in an effort to expedite prosecution, Applicant has amended independent Claim 9 to recite:

An enclosure system for a lawn mower, the system comprising:
a cab assembly comprising an enclosed frame defining an interior volume,
wherein the enclosed frame includes a door and is adapted to secure to a
mower frame of the lawn mower such that a user may occupy the interior
volume while operating the lawn mower; and
an air conditioning unit having an evaporator unit from which conditioned air is
emitted directly into the interior volume, the air conditioning unit being
secured in relation to the enclosed frame such that the evaporator unit is
disposed opposite the door.

Taylor fails to teach at least the features of (i) an enclosed frame adapted to secure to the frame of a lawn mower and (ii) an evaporator unit from which conditioned air is emitted into the interior volume and that is disposed opposite a door of a cab assembly, as recited in currently amended Claim 9. Rather, Taylor merely discloses a work vehicle 10 with features consistent with that of a conventional front-end loaders and requires air produced from its HVAC system 30 be emitted from a plurality of outlets 50 located in close proximity to forward portion 32 that supports the work vehicle's 10 front viewing region/door 34. (*See* Taylor, ¶¶ [0015], [0017], and [0022]; Figures 1 and 3). The positioning of the air-emitting outlets 50 in close proximity to the work vehicle's 10 front viewing region/door 34 is necessary to achieve the recirculating airflow sufficient to remove evaporable matter forming on any of the vehicle's 10 viewing regions taught and required in Taylor. (*See id.* at [0009] and [0022]).

Therefore, because “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” and

Taylor fails to teach at least the above-noted features, independent Claim 9 cannot be anticipated by Taylor. (MPEP § 2131 (quoting *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987)). Accordingly, for at least this reason, Applicant respectfully submits that currently amended independent Claim 9 is allowable and requests that the § 102 rejection against Claim 9 be withdrawn. By virtue of their dependency from Claim 9, in addition to their own distinguishing features, Claims 10–12 should also be found allowable and the § 102 rejections pending against such claims should be withdrawn.

Rejections Under § 103

Claims 1–8, 11, and 13–20 currently stand rejected under 35 U.S.C. § 103. Claims 1–5, 8, and 11 are rejected as allegedly being unpatentable over Taylor in view of Anglin. Claim 6 is rejected as allegedly being unpatentable over Taylor in view of Anglin and Ichikawa. Claim 7 is rejected as allegedly being unpatentable over Taylor in view of Anglin and Osswald. Claims 13, 19, and 20 are rejected as allegedly being unpatentable over Osswald in view of Odebrecht, Ichikawa, and Anglin. Applicant respectfully traverses these rejections.

Claims 1 and 13

A. Prima facie obviousness has not been established with respect to independent Claims 1 and 13 because the Office has not provided a clearly articulated rationale supporting its legal conclusion of obviousness.

Because the Office has failed to provide a clearly articulated explanation to support its legal conclusion of obviousness with respect to independent Claims 1 and 13 and the claims depending therefrom, a *prima facie* case of obviousness has not been established and the § 103 rejections pending against such claims cannot be properly sustained. As such, Applicant is

entitled to either an indication of allowance for Claims 1–6, 8, and 13–20 or a new, non-final action properly rejecting such claims.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. (*Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (B.P.A.A.I. 1979)). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (*In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974)). However, obviousness cannot be established by merely demonstrating that each element of the claimed invention was, independently, known in the prior art. (*KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 401 (2007)). Moreover, “rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” (MPEP § 2142 (quoting *In re Kahn* with approval)). In fact, the “key to supporting any rejection under 35 U.S.C. [§] 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious[]” and “the analysis supporting the rejection under 35 U.S.C. [§] 103 should be made explicit. (MPEP § 2142 (citing *KSR Int’l Co.* at 418)).

On page 4 of the present Office Action, the Office concedes that Taylor fails to teach “an air conditioning unit adapted to receive rotary motion from an engine”, as recited in previously presented Claim 1, but suggests that Anglin discloses such feature. Similarly, on pages 6–7 of the present Office Action, the Office concedes that Osswald fails to teach “wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower”, as recited in previously presented Claim 13, but again suggests Anglin discloses such feature. In both instances, the rationale provided by the Office as to why it would be obvious to one of skill in the pertinent art to modify Taylor and Osswald

with the teachings of Anglin to arrive at the subject matter recited within such claims is that “[d]oing so would allow the temperature of the air conditioner system to be controlled providing a comfortable operation area for a user.” (Office Action, pages 4 and 7).

During the April 10, 2019 telephonic interview with Applicant’s representative, Examiner agreed that the foregoing rationale fails to provide a clearly articulated, logical reason as to why it would be obvious to one of skill in the pertinent art to modify Taylor to include “an air conditioning unit adapted to receive rotary motion from an engine” or to modify Osswald to include an air conditioning unit “adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower”, as recited in previously presented Claims 1 and 13, respectively. Accordingly, the Office has failed to satisfy the burden of proof required to establish a case of *prima facie* obviousness against independent Claims 1 and 13 and the claims that depend therefrom.

Because currently pending claims 1–6, 8, and 13–20 have not yet been properly rejected by the Office, Applicant respectfully submits that Applicant is entitled to either an indication of allowance for such claims or the issuance of a new, non-final action that satisfies the statutory requirements and properly sets forth the Office’s reasoning for rejecting such claims. Further, because a *prima facie* case of obviousness has not been established for any of the claims currently rejected under 35 U.S.C. § 103, the burden has not shifted to Applicant and Applicant is under no obligation to provide any arguments or evidence rebutting the § 103 rejections within the present Office Action. (MPEP §§ 2142, 2145). As such, it is understood that the arguments and evidence presented in this response are being made solely in an effort to expedite subsequent prosecution and in no way should be interpreted as concession to the propriety of the current § 103 rejections.

B. Prima facie obviousness has not been established with respect to Claims 1 and 13 because the prior art relied upon by the Office fails to teach or suggest each and every feature of such claims.

Because the Office has failed to identify where each and every element of currently amended Claim 1 and previously presented Claim 13 and the claims depending therefrom is taught or suggested within the prior art, a *prima facie* case of obviousness has not been established and the § 103 rejections pending against such claims cannot be properly sustained. As such Applicant is entitled to either an indication of allowance for Claims 1–6, 8, and 13–20 or a new, non-final action properly rejecting such claims.

In the present Office Action, the Office concedes that Osswald fails to teach or suggest an air conditioning unit *adapted to be powered in part by rotary motion from an engine of a lawn mower*, as recited in previously presented Claim 13. (Office Action, pages 6–7 (emphasis added)). To cure such deficiency in Osswald, the Office relies upon Anglin and asserts that “Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, figure 2).” (*Id.* at page 7). However, ***Anglin does not disclose or reference a lawn mower or lawn mower engine.*** Rather, the teachings of Anglin pertain to the air conditioning system of a conventional passenger automobile, such as a car, having a forwardly mounted engine, condenser, and radiator. (*See* Anglin, col. 1, l. 29–35; Figures 1 and 2). Accordingly, because Anglin does not disclose or reference a lawn mower or lawn mower engine, Anglin necessarily does not teach an air conditioning unit adapted to be powered in part by rotary motion from an engine of a lawn mower as

suggested by the Office. Further, no prior art reference currently made of record teaches or suggests such feature.

Therefore, because obviousness requires that all the claim limitations must be taught or suggested by the prior art and no prior art of record teaches or suggests at least the feature of an air conditioning unit “adapted to be powered in part by rotary motion transmitted from an engine of the lawnmower”, as recited in previously presented Claim 13, *prima facie* obviousness has not been established and the § 103 rejection against Claim 13 cannot be properly sustained. (See MPEP § 2143.03; *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974)). Accordingly, for at least this reason, Applicant respectfully submits that independent Claim 13 is allowable and requests reconsideration and withdrawal of the § 103 rejection currently pending against it. By virtue of their dependency from Claim 13, in addition to their own distinguishing features, Claims 14–20 are also allowable.

Without acquiescing to the propriety of the § 103 rejection currently pending against independent Claim 1, and in an effort to expedite prosecution, Applicant has amended independent Claim 1 to recite, in part, “*an air conditioning unit adapted to receive rotary motion from an engine of the lawn mower*”. No prior art reference currently made of record teaches or suggests this feature. Therefore, for at least this reason, Applicant also respectfully submits that independent Claim 1 is allowable and requests reconsideration and withdrawal of the § 103 rejection currently pending against it. Moreover, by virtue of their dependency from Claim 1, in addition to their own distinguishing features, Claims 2–6 and 8 are also allowable.

C. It would not be obvious to one of ordinary skill in the art to modify Odebrecht in view of Anglin in the manner necessitated by the Office's present § 103 rejection of Claim 13.

The Office concedes that Osswald is silent with respect to “an air conditioning unit configured to produce conditioned air, wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower, the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume”, as recited in previously presented independent Claim 13. (Office Action, pages 6–7). The Office relies upon the heating system of Odebrecht to cure each aspect of the above deficiency except for the feature of “wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower” for which the Office relies upon the mechanical linkage existing between an engine crankshaft and compressor disclosed in Anglin. (*Id.* at page 7). Accordingly, the Office's current § 103 rejection of independent Claim 13 necessarily requires the heating system of Odebrecht be modified in accordance with the identified teachings of Anglin and subsequently incorporated into the vehicle of Osswald.

A determination of obviousness based on the modification or combination of references requires the proposed modification or combination have a reasonable expectation of success. (*See* MPEP § 2143.02). Moreover, any proposed modification cannot render the prior art unsatisfactory for its intended purpose or change the principle operation of a reference. (*See id.* at § 2143.01). Therefore, in order for the Office's § 103 rejection to be properly sustained, there must be some reasonable expectation of success

with regards to the modifying the heating system of Odebrecht to include the mechanical linkage of Anglin and such modification cannot render the heating system of Odebrecht unsatisfactory for its intended purpose or change its principle operation.

In Anglin, the mechanical linkage responsible for transmitting rotary motion from the vehicle's engine to the vehicle's air conditioning system requires a belt connection 32 between a pulley 28 fixed to an electromagnetic clutch 42 mounted to the input shaft 34 of the air conditioning system's compressor 18 and a dual pulley 24 associated with the crankshaft 22 of the vehicle's engine 12. (Anglin, col. 2 l. 43–56; Figure 2). The pulley 28 of the electromagnetic clutch 42 receives, and rotates in response to, rotary motion transmitted from the engine's crankshaft 22 via belt connection 32. (*See id.* at col. 2, l. 46 to col. 3, l. 28). The rotary motion applied to the pulley 28 of the electromagnetic clutch 42 is utilized to power the air conditioning stem's compressor 18, which is configured to pressurize and direct *refrigerant used to produce cool air* through the air conditioning system. (*See id.* (emphasis added)). Thus, both the mechanical linkage and the overall functionality of the air conditioning system taught in Anglin necessarily requires the use of a refrigerant compressor powered by rotation of an associated pulley rotably connected to a vehicle engine by way of a belt connection.

The heating system 21 in Odebrecht is designed to supply *warm air* to the headrest of area of an open vehicle to make driving of an open top vehicle more pleasant in cooler temperatures. (Odebrecht, col. 1 l. 34–38; col. 2, l. 50–56). As the heating system of Odebrecht is intended to generate and supply warm air to an open top vehicle, Odebrecht is devoid of any reference to or teaching of a refrigerant compressor, as required in the mechanical linkage disclosed in Anglin and relied upon by the Office.

Moreover, no prior art reference currently made of record provides any indication that a refrigerant compressor configured to pressurize and direct refrigerant for the production of cool air can be implemented into the heating system of Odebrecht designed to produce warm air with any reasonable expectation of success. Therefore, for at least this reason, the Office's current § 103 rejections against Claim 13 and the claims depending therefrom cannot be properly sustained. (*See* MPEP § 2143.02).

Moreover, Applicant also respectfully submits that because the intended purpose and principle operation of the heating system of Odebrecht is to produce warm air and the refrigerant compressor of Anglin is implemented within a system and provides functionality counteractive to such purpose and operation (i.e., pressurizing and directing refrigerant to produce cool air), it would not be obvious to one of ordinary skill in the art to modify the heating system of Odebrecht in the manner necessitated by the Office's current rejection of Claim 13. Rather, integrating a refrigerant compressor functioning in the manner described in Anglin into the heating system could impede the heating system's ability to produce warm air, thereby rendering the heating system unsatisfactory for its intended purpose and/or change its principle operation. Therefore, for at least this reason, the Office's current rejection § 103 rejection against Claim 13 and the claims depending therefrom cannot properly be sustained. (*See* MPEP § 2143.01(V)–(VI)).

For at least the foregoing reasons, Applicant also respectfully submits that independent Claim 13 is allowable and requests reconsideration and withdrawal of the § 103 rejection currently pending against it. Moreover, by virtue of their dependency from Claim 1, in addition to their own distinguishing features, Claims 14–20 are also allowable.

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Claim 5

The prior art relied upon by the Office fails to disclose each and every limitation of currently amended Claim 6. Therefore, a *prima facie* case of obviousness has not been established for such claim and the Office's current § 103 rejection against it cannot be properly sustained.

Without acquiescing to the propriety of the § 103 rejection currently pending against independent Claim 5, and in an effort to expedite prosecution, Applicant has amended independent Claim 5 to recite: "The system of Claim 1, wherein the conditioned air produced by the air conditioning unit is emitted into the interior volume from the rear wall." No prior art reference of record teaches or suggests the foregoing feature in combination with the subject matter recited in Claim 1, from which Claim 5 depends.

Therefore, because obviousness requires that all the claim limitations must be taught or suggested by the prior art and the prior art references currently relied upon by the Office fails to teach or suggest at least the features recited in currently amended Claim 5, the § 103 rejection currently pending against Claim 5 cannot be properly sustained. (See MPEP § 2143.03; (*In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974)). Accordingly, for at least this reason, Applicant respectfully submits that dependent Claim 5 is allowable for at least this reason and requests reconsideration and withdrawal of the § 103 rejection currently pending against it.

Claim 6

The prior art relied upon by the Office fails to disclose each and every limitation of previously presented Claim 6. Therefore, a *prima facie* case of obviousness has not

been established for such claim and the Office's current § 103 rejection against it cannot be properly sustained.

In the present Office Action, the Office Concedes that Taylor fails to teach or disclose the feature of “wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height”, as recited in previously presented Claim 6. (Office Action, page 5). To cure the foregoing deficiency, the Office relies on Figure 1 of Ichikawa, which shows a side view of a vehicle having a cabin. (*Id.*; Ichikawa, Figure 1). Applicant respectfully submits that because Figure 1 is a side view of the cabin and no front view of the assembled cabin or indication as to the dimensions of the cabin's front wall relative to its rear wall is provided in Ichikawa, Ichikawa necessarily cannot teach or suggest the subject matter recited in previously presented Claim 6. If anything, given the arrangement of the vehicle's engine hood 9 and steering column relative to the front wall of the cabin 1, Figure 1 of Ichikawa teaches a cabin having a front wall that is substantially the same height as its rear wall. (*See* Ichikawa, ¶¶ [0031]–[0032]; Figure 1).

Therefore, because obviousness requires that all the claim limitations must be taught or suggested by the prior art references currently relied upon by the Office fails to teach or suggest at least the features recited in previously presented Claim 6, the § 103 rejection currently pending against Claim 6 cannot be properly sustained. (*See* MPEP § 2143.03; *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974)). Accordingly, for at least this reason, Applicant respectfully submits that dependent Claim 6 is allowable for at least this reason and requests reconsideration and withdrawal of the § 103 rejection currently pending against it.

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Claim 7

Claim 7 has been rejected, thereby rendering the Office's § 103 rejection against it moot.

Claim 11

In the present Office Action, Claim 11 is rejected on § 103 grounds. (Office Action, page 4). However, Taylor is the sole reference relied upon to reject Claim 11. (*Id.* at page 5). Due to its dependency on Claim 9, Applicant respectfully submits that Claim 11 is allowable for at least the same reasons as indicated above for independent Claim 9 and requests the § 103 rejection against Claim 11 be reconsidered and withdrawn.

Double Patenting

The Office rejects claims 1, 3–5, 8, 9, 10, 12–15, and 17 on the ground of nonstatutory double patenting over the claims of U.S. Patent App. No. 14/311,978, now U.S. Patent No. 10,259,287 (the “’287 Patent”). (*Id.* at page 9). Applicant reserves the right to dispute the Office's position that the claims at issue are not patentably distinct from the claims of the ’287 Patent or to file a terminal disclaimer as appropriate. Specifically, Applicant will consider filing a terminal disclaimer if and when the claims are otherwise allowed and all other objections and/or rejections have been overcome.

New Claim

Applicant has added new Claim 21. Support for this claim can be found in at least paragraph [0049] and Figure 4 of the present application. New Claim 21 depends directly from and adds features to Claim 9, and thus is patentable for at least the same reasons as Claim 9 in addition to its own distinguishing features. Accordingly, Applicant respectfully requests that new Claim 21 be allowed.

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Request for Consideration

In addition to the above, Applicant respectfully requests that the Request to Correct Inventorship pursuant to 37 C.F.R. § 1.48 filed on September 24, 2018, which accounts for a typographical present within the original Application Data Sheet filed on September 7, 2018, be considered by the Office and the corrections relating to such request be entered.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of the application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

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CONCLUSION

All grounds of objection or rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Office reconsider and withdraw them. A complete reply has been made to the outstanding Office Action. As such, Applicant believes that the application is in condition for allowance. If the Office believes, for any reason, that personal communications will expedite prosecution of this application, the Office is asked to telephone the undersigned at the number provided. Applicant respectfully requests prompt and favorable consideration of the Amendment and Reply.

Respectfully submitted

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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 Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Claim Rejections - 35 USC § 112

2. The following is a quotation of 35 U.S.C. 112(b):
(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

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

3. Claim 11 is rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.
4. Claim 11 recites “the mower frame”. This term lacks antecedent basis. For examination purposes Examiner will consider that a lawn mower is positively recited.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

6. Claim(s) 9, 10, and 12 is/are rejected under 35 U.S.C. 102(a)(1) as being anticipated by U.S. PGPUB 20120205946 to Taylor (Taylor).

7. Regarding claim 9, Taylor teaches a cab assembly comprising an enclosed frame defining an interior volume (60, 34, 44, and 58, Figure 3), wherein the enclosed frame includes a door (34, Figure 3, Paragraph 0017) and is adapted to secure to a vehicle frame of the vehicle such that a user may occupy the interior volume while operating the vehicle (Figures 1 and 3); and an air conditioning unit (30, Figure 3) having an evaporator unit (68 and 70, Figure 3) configured to emit conditioned air, the air conditioning unit being secured in relation to the enclosed frame such that the evaporator unit is disposed opposite the door (Figure 3 shows the orientation).
8. Regarding claim 10, Taylor teaches wherein the enclosed frame is adapted to secure to the vehicle frame (12, Figure 1) such that when the enclosed frame is secured to the vehicle frame the door is disposed in front of an operator seat of the vehicle (Figures 1 and 3 show the orientation where frame, 60 appears to frame all the walls and therefore provide a frame that is attached to the vehicle frame).
9. Regarding claim 12, Taylor teaches wherein the air conditioning unit is disposed behind the operator seat (30, Figure 3 shows the orientation behind seat, 74).

Claim Rejections - 35 USC § 103

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103 are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or

nonobviousness.

12. Claims 1-5, 8, and 11 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of U.S. Patent 3306067 to Anglin (Anglin).

13. Regarding claim 1, Taylor teaches a cab assembly having a front wall (34, Figure 3), a first sidewall (58, Figure 1), a second sidewall (58, Figure 1), and a ceiling (44, Figure 1) that collectively define an interior volume, the cab assembly being adapted to secure to a vehicle frame of the vehicle such that a user may occupy the interior volume while operating the vehicle; and the air conditioning unit at least partially defining a rear wall disposed opposite the front wall (30, Figure 3).

Taylor is silent on an air conditioning unit adapted to receive rotary motion from an engine of the vehicle.

Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, Figure 2). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Anglin to provide wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower. Doing so would allow the temperature of the air conditioner system to be controlled providing a comfortable operating area for a user.

14. Regarding claim 2, Taylor teaches the cab assembly includes a lower frame (frame, 60 appears to frame all the walls and therefore provide a lower frame) adapted to secure to the vehicle frame (12, Figure 1) such that the front wall is disposed in front of an operator seat of the vehicle when the lower

frame is secured to the vehicle frame (connection shown in Figures 1 and 3 which indicates the cab assembly is secured to the vehicle frame).

15. Regarding claim 3, Taylor teaches wherein the lower frame is shaped to correspond to the vehicle frame (connection indicates that the shape of the frames correspond to each other).

16. Regarding claim 4, Taylor teaches wherein the front wall is at least partially defined by a door (Paragraph 0017).

17. Regarding claim 5, Taylor teaches wherein the air conditioning unit includes an evaporator unit configured to emit conditioned air, wherein the evaporator unit is disposed opposite the door (68 and 70, Figure 3).

18. Regarding claim 8, Taylor teaches wherein wherein at least one of the first sidewall and the second sidewall is transparent (58, Figure 3, Paragraph 0017).

19. Regarding claim 11, Taylor teaches wherein a portion of the enclosed frame is shaped to correspond to the mower frame (connection shown in Figures 1 and 3 which indicate the shape corresponds to the mower frame).

20. Taylor is silent on wherein the vehicle is a lawn mower.

Osswald teaches wherein the vehicle is a lawn mower (570, Figure 53). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Osswald to provide wherein the vehicle is a lawn mower. Doing so would give the device another utility and allow the device to cut grass.

21. Claim 6 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Anglin and U.S. PGPUB 20130118708 to Ichikawa (Ichikawa).

22. Regarding claim 6, Taylor is silent on wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height.

Ichikawa teaches wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height (Figure 1). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the rear wall is of a first height and the front wall is of a second height, wherein the second height is greater than the first height. Doing so would provide space for mechanical equipment below the cab while reducing the size of the device.

23.

24. Claim 7 is/are rejected under 35 U.S.C. 103 as being unpatentable over Taylor in view of Anglin and U.S. PGPUB 20090038186 to Osswald et al. (Osswald).

25. Regarding claim 7, Taylor is silent on wherein the vehicle is a lawn mower.

Osswald teaches wherein the vehicle is a lawn mower (570, Figure 53). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Osswald to provide wherein the vehicle is a lawn mower. Doing so would give the device another utility and allow the device to cut grass.

26. Claims 13, 19, and 20 is/are rejected under 35 U.S.C. 103 as being unpatentable over Osswald in view of U.S. Patent 6261173 to Odebrecht (Odebrecht), Ichikawa, and Anglin.

27. Regarding claim 13, Osswald teaches a cab assembly (22, Figure 1), a first sidewall, a second sidewall, and a ceiling that collectively define an interior volume (Figure 1 shows the walls), wherein the cab assembly is adapted to secure to a mower frame (14 and 16, Figure 1) of the lawn mower such that a user may occupy the interior volume while operating the lawn mower (Figure 53 has a lawn mower, 570).

Osswald is silent on a front wall and an air conditioning unit configured to produce conditioned air, wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted

from an engine of the lawn mower, the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume.

Odebrecht teaches an air conditioning unit configured to produce conditioned air. the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume (21, Figures 2 and 3 has a heat exchanger and a fan per Col. 3 lines 38-47). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Odebrecht to provide an air conditioning unit configured to produce conditioned air. the air conditioning unit being secured in relation to the cab assembly such that conditioned air produced by the air conditioning unit is emitted directly into the interior volume. Doing so would provide a comfortable environment for a user of the device.

Ichikawa teaches a front wall (4, Figure 14). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Ichikawa to provide a front wall. Doing so would protect the user from the outside elements.

Anglin teaches wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower (42 and/or 30 and 32, Figure 2). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Osswald with the teachings of Anglin to provide wherein the air conditioning unit is adapted to be powered in part by rotary motion transmitted from an engine of the lawn mower. Doing so would allow the temperature of the air conditioner system to be controlled providing a comfortable operating area for a user.

28. Regarding claim 19, Osswald is silent on wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of

the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end.

Ichikawa teaches wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end (Figure 1). It would have been obvious to one of ordinary skill in the art to have modified the teachings of Taylor with the teachings of Ichikawa to provide wherein the first sidewall and the second sidewall each have a first end proximal to the front wall and a second end opposite the first end, wherein a height of the first sidewall and the second sidewall decreases as each sidewall extends from the first end to the second end. Doing so would provide space for mechanical equipment below the cab while reducing the size of the device.

29. Regarding claim 20, Osswald wherein at least one of the first sidewall, the second sidewall, and the front wall is semitransparent (Figure 1 shows a mesh which indicates the sidewalls are at least semi transparent).

Double Patenting

30. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed.

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

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(I)(1) - 706.02(I)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

31. Claims 1, 3-5 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over claims 7, 22, and 11 of copending Application No. 14311978 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because the claims in 14311978 are contain the same claim elements with additional claim elements. Claim 8 is rejected in view of claim 21 of 14311978. Claims 9, 10, 12-15, and 17 are rejected in view of claims 11, and 25 of 14311978. 20 is rejected in view of claims 11, 23, and 26 of 14311978.

This is a provisional nonstatutory double patenting rejection because the patentably indistinct claims have not in fact been patented.

Allowable Subject Matter

32. Claims 16 and 18 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.

Conclusion

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN S ANDERSON II whose telephone number is (571)272-2055. The examiner can normally be reached on M-F 8-5.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. 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

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/STEVEN S ANDERSON II/
Examiner, Art Unit 3762
2/21/19

Notice of References Cited	Application/Control No. 16/125,009		Applicant(s)/Patent Under Reexamination Reynolds, Orville B.	
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