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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/865,280	07/14/2022	Ben Merritt	111552-8018.US02	8806
25096	7590	10/05/2022	EXAMINER	
PERKINS COIE LLP - SEA General			RASSAVONG, ERIC	
PATENT-SEA			ART UNIT	PAPER NUMBER
P.O. BOX 1247			3781	
SEATTLE, WA 98111-1247			NOTIFICATION DATE	DELIVERY MODE
			10/05/2022	ELECTRONIC

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

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

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

patentprocurement@perkinscoie.com

Office Action Summary	Application No. 17/865,280	Applicant(s) Merritt et al.	
	Examiner ERIC RASSAVONG	Art Unit 3781	AIA (FITF) Status Yes

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1) ☒ Responsive to communication(s) filed on 07/14/2022.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☒ Claim(s) 1-16 is/are pending in the application.

5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☒ Claim(s) 11-16 is/are allowed.

7) ☒ Claim(s) 1 is/are rejected.

8) ☒ Claim(s) 2-10 is/are objected to.

9) ☐ Claim(s) ____ are subject to restriction and/or election requirement

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

Application Papers

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

11) ☒ The drawing(s) filed on 07/14/2022 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

a) ☐ All b) ☐ Some** c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. ____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

3) ☐ Interview Summary (PTO-413)

Paper No(s)/Mail Date ____.

2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)

4) ☐ Other: ____.

Paper No(s)/Mail Date ____.

DETAILED ACTION

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.

Claim Rejections - 35 USC § 102

2. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

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

A person shall be entitled to a patent unless –

(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.

4. **Claim 1** is rejected under 35 U.S.C. 102(a)(1) as being anticipated by Garrison et al. (US 20160220741 A1), hereinafter referred to as “Garrison”.

Garrison teaches a vacuum aspiration system (100), comprising; a housing (access sheath 220)); a flow path extending through the housing (the access sheath (220) can have a sheath body (222) and an inner lumen (223) extending between a proximal end (240) and a distal end region of the sheath body (222), see Figure 1); an on-off control in the flow path (valve (242) can close off the fluid connection between the sheath body (222) and the proximal portion (240), see Paragraph [0067]); a first catheter in fluid communication with the flow path

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(spine aspiration catheter (320) is sized to extend through the inner lumen (223) of access sheath (220), see Figure 1 and 9) and a connector (226) configured to place a source of aspiration in communication with the flow path (aspiration source (600) is attached to aspiration line (230) of connector (226) to provide aspiration within the system, see Figure 11); a clot cannister fluidly coupled to the flow path (aspiration source (600) may be connected to a delivery location, such as a receptacle, see Figure 11); and a hemostasis valve (hemostasis valve (234)) in the housing (in sheath (220)) configured to receive a second catheter and direct the second catheter through the first catheter (aspiration catheter (320) is inserted/removed from sheath (220) through hemostasis valve (234), see Paragraph [0067]) (a second micro catheter (400) can be introduced through hemostasis valve (234) within the first catheter (320), see Figure 1 and 9) (see Paragraph [0106]).

Allowable Subject Matter

5. **Claims 11-16** are allowed.
6. **Claims 2-10** 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.

7. The following is an examiner's statement of reasons for allowance:

Claims 2 and 11 are allowable for reciting, *inter alia*, "a hemostasis valve in the housing configured to receive a second catheter and direct the second catheter through the first catheter, wherein the hemostasis valve comprises - (a) a support; (b) an actuator having a least a first member movably coupled to the support; (c) a collapsible tubular sidewall defining a lumen carried by the support; (d) a filament formed in a loop around the tubular sidewall, the

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filament having at least a first end portion extending away from the loop to the first member; and (e) a first spring configured to move the first member in a direction that pulls the first end portion such that a diameter of the lumen decreases in response to reducing a diameter of the loop”.

The closest prior art of record are Wong et al. (US 20110144592 A1), Kees (US 7775501 B2), and Hartley (US 20030116731 A1).

Wong teaches a hemostatic valve (see Figure 1), wherein the hemostasis valve comprises - (a) a support (elongated member (19)); (b) an actuator ((18c-d) and (15-15a)) having a least a first member (second sliders (17)) movably coupled to the support (coupled to member (19), see Figure 11)); (e) a first spring (20a) configured to move the first member in a direction (spring (20a) is configured to bias the second sliders (17) against the valve housing, see Paragraph [0018]). However, Wong fails to teach a collapsible tubular sidewall defining a lumen carried by the support; a filament formed in a loop around the tubular sidewall, the filament having at least a first end portion extending away from the loop to the first member; and a spring that pulls the first end portion such that a diameter of the lumen decreases in response to reducing a diameter of the loop.

Kees discloses a hemostasis valve (valve (1)) comprising - (a) a support (supporting means (43), see Figure 1); (b) an actuator (actuating ring (37)) having a least a first member movably coupled to the support (drive piston (53) of actuating ring (37) is able to slide on the outer face of the sleeve-like supporting means (43), see Col.7 lines 52-56); (c) a collapsible tubular sidewall defining a lumen carried by the support (elastically deformable peripheral wall (24) defines lumen (26) in all within support means (43), see Figure1); and (e) a first spring

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(spring (65)) configured to move the first member (configured to move drive piston (53), see Col.7 lines 63-68; Col. 8 lines 1-4). However, Kees fails to teach a filament formed in a loop around the tubular sidewall, the filament having at least a first end portion extending away from the loop to the first member; and the spring configured to move the first member in a direction that pulls the first end portion such that a diameter of the lumen decreases in response to reducing a diameter of the loop.

Hartley teaches a hemostasis valve (2) comprises - (a) a support (cylindrical housing (6)); (b) an actuator (rotary actuator (12)); (c) a collapsible tubular sidewall (cylindrical elastomeric diaphragm (8)) defining a lumen carried by the support (defines a cylindrical aperture (3) of within cylindrical housing (6), see Figure 1); (d) a filament (string (14)) formed in a loop around the tubular sidewall (see Figure 3-4), the filament having at least a first end portion extending away from the loop to the first member (the string (14) is extending away from the loop towards the outside of cylindric housing (6), see Figure 3 and 4); and (e) a first spring (29) configured to move such that a diameter of the lumen decreases in response to reducing a diameter of the loop (the diameter of the loop aperture (3) closes in response to reducing the diameter of the loop, see Figures 1-4). However, Hartley fails to teach the actuator having a first member movable coupled to the support and the first spring configured to move the first member. It is to be understood that the first member would be a part of an additional biasing system apart which Hartley does not teach.

Although Hartley discloses a filament, a person skilled in the art would recognize that it would improper to add the filament of Hartley in either device of Wong or Kees for this would conflict with the operation of the devices. Therefore, there is no prior art that reads on the

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combination of limitations. The claim language of claim 2 and 11 are considered allowable.

Claims 3-10 would be allowable for depending from claim 2. **Claims 12-16** are allowable for depending from claim 11.

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

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC RASSAVONG whose telephone number is (408)918-7549. The examiner can normally be reached Monday - Friday 9:00am-5:30pm PT.

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, Nicholas J. Weiss can be reached on (571)270-1775. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/E.R./ (9/26/2022)

Examiner, Art Unit 3781

/SUSAN S SU/

Primary Examiner, Art Unit 3781

28 September 2022