

Notice of Allowability	Application No. 17/602,485	Applicant(s) RESCH, Øyvind	
	Examiner SUKWOO J CHANG	Art Unit 3723	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 10/08/2021.
☐ 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 1-7 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

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

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)	5. ☒ Examiner's Amendment/Comment
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____.	6. ☒ Examiner's Statement of Reasons for Allowance
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.	7. ☐ Other _____.
4. ☒ Interview Summary (PTO-413), Paper No./Mail Date. <u>11/02/2022</u> .	

/TYRONE V HALL JR/ Primary Examiner, Art Unit 3723	/S.J.C./ Examiner, Art Unit 3723
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Notice of Pre-AIA or AIA Status

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

Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

- Reference character “F1” is missing in Fig. 5. Amend Fig. 5 to include reference character F1.

In order to avoid abandonment of the application, applicant must make the above agreed upon drawing changes.

Specifications

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

- In para. [0014], ln 1, the term “figure I” should be amended as “figure [[I]]1”.
- In para. [0015], ln 3 and 4, the term “jacking plate I” should be amended as “jacking plate [[I]]1”.
- In para. [0016], ln 3-4, the phrase “When the plates have a different angle with the jacking shaft ...” should be amended as “When the plates are not at a right ~~have a different~~ angle with the jacking shaft ...”.
- In para. [0018], ln 15, the phrase “This correspond to ...” should be amended as “This corresponds to ...”.

- In para. [0018], ln 16, the phrase "... the angular movement of the rm between ..." should be amended as "... the angular movement of the arm between ...".
- In para. [0019], amend the term "PI" to "P[[I]]1" and the term "HI" to "H[[I]]1".
- In para. [0019], ln 7, the term "the mechanism 12" should be amended as "the lowering mechanism 12".
- In para. [0019], ln 21, the term "the M-shape" should be amended as "the M-shaped spring plate".
- In para. [0022], ln 3, the phrase "between 0,02 and 0,3 mm" should be amended as "between 0[[,]]02 and 0[[,]]3 mm".

In order to avoid abandonment of the application, applicant must make these above agreed upon specification changes.

Examiner's Amendment

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

Authorization for this examiner's amendment was given in an interview with Mr. Jeremy Jay on 11/02/2022.

The application has been amended as follows:

Claim 1: (Currently Amended) A lowering mechanism for a hand held jacking tool comprising a jacking frame, a jacking shaft, and a caulking gun jacking mechanism comprising at least one jacking plate biased towards an open state and at least one holding plate, above the at least one jacking plate, being biased towards a gripping state, wherein the lowering mechanism comprises:

- a lowering plate on top of the at least one holding plate being parallel to the at least one holding plate when not activated,

- a spring biasing the lowering plate towards the at least one holding plate,

- a thumb operable pushing lever,

- a release lever which is an extension of the at least one holding plate,

- a hinge attachment connecting the thumb operable pushing lever to the lowering plate at a rear end towards an operating handle,

- a pivot structure connected to the thumb operable pushing lever or the at least one holding plate a distance backward from the hinge attachment,

wherein the lowering plate is lifted up and grips the jacking shaft when the thumb operable pushing lever is pushed downwards and pivots around the pivot structure and in turn, pushes the at least one holding plate downwards loosening the at least one holding plate from the jacking shaft and moving the jacking frame down along the jacking shaft a distance until the at least one holding plate reaches an angle that stops the at least one holding plate against the jacking shaft while the lowering plate still grips the jacking shaft.

Claim 2: (Currently Amended) The lowering mechanism according to claim 1, wherein the rear end of the thumb operable pushing lever and the release lever are positioned beside each other ~~for easy operation by a thumb of an operator.~~

Claim 3: (Previously Presented) The lowering mechanism according to claim 1, wherein the pivot structure is moveable in a rear-front direction and/or in an up-down direction to regulate the distance of the downward movement of the jacking frame.

Claim 4: (Previously Presented) The lowering mechanism according to claim 1, wherein the spring is an M-shaped spring plate with a hole for the jacking shaft and a holding structure in respective legs of the M-shape on each side of the jacking shaft for holding the spring to the at least one holding plate.

Claim 5: (Previously Presented) The lowering mechanism according to claim 1, wherein the spring is a spring plate shaped as a half M with a holding structure in a leg of the half M for holding the spring to the at least one holding plate.

Claim 6: (Previously Presented) The lowering mechanism according to claim 4, wherein the holding structure is a hole through which the at least one holding plate will fit.

Claim 7: (Previously Presented) The lowering mechanism according to claim 5, wherein the holding structure is a hole through which the at least one holding plate will fit.

Reasons for Allowance

Claims 1-7 are allowed.

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

The instant invention is neither anticipated nor rendered obvious by the prior art because a device is not disclosed nor taught having the allowable subject matter that was placed into the claims detailing a lowering mechanism for a hand held jacking tool, comprising a jacking frame, a jacking shaft, a jacking plate, a holding plate, a lowering plate, a biasing spring, a thumb operable pushing lever, a release lever, a hinge attachment, and a pivot structure, in combination with all the other claimed limitations. Further, the lowering plated is lifted up and grips the jacking shaft when the thumb operable pushing lever is pushed downwards and pivots around the pivot structure and in turn, pushes the at least one holding plate downwards to move the jacking frame down along the jacking shaft.

The closest prior art of Baron et al. (US 4,084,792) teaches, in figs. 2-4, it was known in the art to have a jacking frame (structure 7), a jacking shaft (operating rod 29), a jacking plate (plates 67), a holding plate (supporting arm 41), a lowering plate (wedging plates 47), a biasing spring (compression spring 51), a thumb operable pushing lever (lever 55), a hinge attachment (foot 61), and a pivot structure (fulcrum pin 53). However, the above reference does not teach a release lever. In addition, the above reference does not teach at least one holding plate is pushed downwards when the pushing lever is pushed downwards and the lowering plate is lifted up, and not in combination of the other recited structural claim limitations.

Forbes (US 3,064,945) teaches, in fig. 3, it was known in the art to have a jacking frame (shaft support 21), a jacking shaft (lift rod 35), a holding plate (holding securing means 50), a lowering plate (lift securing means 70), a thumb operable pushing lever (lever 47), a hinge attachment (link member 40), and a pivot structure (pivot shaft 32). However, the above reference does not teach a jacking plate, a biasing spring, and a release lever. In addition, the above reference does not teach at least the lowering plated is lifted up and grips the jacking shaft

when the thumb operable pushing lever is pushed downwards and pivots around the pivot structure and in turn, pushes the at least one holding plate downwards, and not in combination of the other recited structural claim limitations.

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

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUKWOO JAMES CHANG whose telephone number is (571)272-7402. The examiner can normally be reached M-F 8:00a-5:00p.

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, Orlando Aviles-Bosques can be reached on (571) 270-5531. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit:

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/S.J.C./
Examiner, Art Unit 3723

/TYRONE V HALL JR/
Primary Examiner, Art Unit 3723