IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	13/418,101
Confirmation No.	:	5724
First Named Inventor	:	Mark Zehfuss
Filing Date	:	March 12, 2012
Art Unit	:	
Examiner	:	
	:	
Docket No.	:	DYN106.CIP

December 6, 2013

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

Response to Office Communication

Sir:

In response to the Office communication mailed on March 23, 2012 ("Office Action") concerning the above referenced patent application ("Subject Application"), Applicants respectfully request reconsideration of the following remarks prior to further examination of the subject application.

Claim Amendments begin on page 2; and
Remarks begin on page 7.

MOCKINGBIRD ET AL. EX1079
MOCKINGBIRD ET AL. V. BABY JOGGER
IPR2025-01095

CLAIM LISTING

1. to 14. (Cancelled)

15. (Original) A baby stroller, comprising:

a stroller frame; and

a chair, wherein the chair comprises a fabric seat, upper and lower tubes mounted onto the seat, and a folding unit installed between the upper and lower tubes.

16. (Original) The baby stroller of claim 15, wherein the folding joint comprises:

an upper joint, fixed to the bottom of the upper tube of the seat, and having a notch formed on an external side of the upper joint;

a fixing member, installed into the notch of the upper joint through a spring;

a press plate, having a breach corresponding to the fixing member;

a lower joint, fixed at an upper end of the lower tube of the seat, and having a positioning slot formed on an internal side of the lower joint and corresponding to the fixing member;

a press button, installed on an external side at the upper tube of the seat, and having a slide member coupled to the bottom of the press button; and

a link element, installed in the upper tube of the seat, and having an end fixed to the press plate, and a spring sheathed thereon, and another end fixed to the slide member.

17. (Original) The baby stroller of claim 4, wherein the folding joint comprises:

an upper joint, fixed to the bottom of the upper tube of the seat, and having a notch formed on an external side of the upper joint;

a fixing member, installed into the notch through a spring;

a lower joint, fixed at an upper end of the lower tube of the seat, and having an positioning slot formed on an internal side of the lower joint and corresponding to the fixing member;

a press button, installed on an external side of the upper tube of the seat, and having a slide member installed at the bottom of the press button; and

a link element, installed in the upper tube of the seat, and having an end fixed to the fixing member, and another end fixed to the slide member.

18. (Original) A baby seat capable of being connected to a baby stroller frame, comprising:

an upper tube;

a lower tube; and

a joint rotatably connecting the upper tube to the lower tube.

19. (Original) The baby seat of claim 18, wherein the lower tube comprises a first tube and a second tube, wherein the first tube and the second tube are rotatably connected by a foot rest joint capable of rotating a lower tube relative to the second tube.

REMARKS

Claim Rejections – 35 U.S.C. § 102(e)

In the Office Action, Claims 1-19 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Application Publication Number 2013/0113188 (hereinafter "Liao"). Claims 1 to 14 are cancelled.

As quoted in the Office Action, 35 U.S.C. 102(e) states that an inventor shall be entitled to a patent unless . . . (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

Applicant respectfully submits that the Liao could not have described the invention of the Claims 15 to 19 before the invention by the Applicant because Liao merely describes the invention of the Applicant. As evidenced by the attached Declaration and Meeting Notes, Mr. Zehfuss is the inventor of the invention of Claims 15 to 19 currently pending in the Subject Application. Liao describes the invention of Mr. Zehfuss as Gordon Liao was at the meetings (that occurred prior to the filing date of Liao) in which Mr. Zehfuss disclosed his invention.

The present application is being examined under Pre-AIA first to invent provision. Mark Zehfuss is the first inventor of the invention described in the specification of Liao and claimed in Claims 15 to 19 of the Subject Application. Liao is not the inventor of the invention claimed in Claims 15 to 19 and does not claim to be such an inventor.

The facts surrounding the filing of Liao and the Subject Application are as follows.

Mark Zehfuss is the President of Baby Jogger, LLC owner of Subject Application.

Baby Jogger, LLC has strollers manufactured at a factory in China owned by Unique Product & Design Co., Ltd. Unique Product & Design Co., Ltd. claims ownership of Liao.

Gordon Liao is the President of Unique Products & Design Co., Ltd. and reduces to practice inventions of Mark Zehfuss for Baby Jogger, LLC.

Unique Product & Design Co., Ltd. filed the patent application that was published as Liao.

During development of the stroller described in both Liao and the Subject Application, the engineers and other employees of Unique Product & Design Co. Ltd. could not determine how to develop a stroller that included an independent seat that could be connected to a stroller frame in either the forward position or the backward position and still fold compactly with the seat connected to the frame. The solution presented by Unique Product & Design Co., Ltd. was to use a conventional stroller seat and require the user to remove the conventional stroller seat prior to folding the stroller.

This solution was not acceptable to Baby Jogger, LLC. Mark Zehfuss disclosed to Gordon Liao the invention claimed in Claim 15 to 19 prior to the filing of Liao as an alternative solution to the problem. After the meeting and during the reduction to practice process, Unique Product & Design Co., Ltd prepared drawings and tooling to produce the stroller with Mark Zehfuss' inventive stroller seat for Baby Jogger, LLC. These drawings were used to prepare the disclosure of Liao.

Mr. Zehfuss suggested that the seat could include a folding mechanism so the seat connected in either direction could be compacted smaller than the folded stroller. His invention allowed the stroller seat to be folded on the folded stroller frame; thereby allowing the stroller with seat connected in either the forward position or the rearward position to be folded compactly. No other prior stroller has this feature. Parents value strollers that allow the seat to face either forward or rearward so they can monitor their child more closely when they are young, sleeping or ill by facing them rearward facing the parent or allow the child to face forward in the traditional stroller position.

Mr. Zehfuss' invention is evidenced by his attached Declaration and Meeting Notes recorded shortly after the meeting with Unique Products & Design Co., Ltd. The Meeting Notes are redacted to avoid disclosure of confidential information and as confirmed by Mr. Zehfuss are dated before the filing date of Liao.

As stated in the Office Action, Mark Zehfuss shall be entitled to a patent unless . . . (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

As evidenced by the attached Declaration and Meeting Notes, Mr. Zehfuss is the inventor of the invention of Claims 15 to 19 currently pending in the Subject Application. Gordon Liao was able to describe the invention of Mr. Zehfuss in Liao as Gordon Liao was at the meetings in which Mr. Zehfuss disclosed his invention. The meeting occurred prior to the filing date of Liao.

Reconsideration of the rejection respectfully requested.

CONCLUSIONS

Applicant respectfully request consideration of the claims pending in the Subject Application. Should the Examiner have any remaining concerns, he is requested to contact the undersigned at the telephone number given below so that the concerns may be resolved without issuance of an additional Office Action.

No fees are believed due with this filing.

Sincerely,

/Bernard G. Pike/

Bernard G. Pike
Registration No. 46,993

Pike IP Law, PLLC
P.O. Box 8592
Richmond, Virginia 23226
Telephone: 804-615-3939

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	13/418,101
Confirmation No.	:	5724
First Named Inventor	:	Mark Zehfuss
Filing Date	:	March 12, 2012
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Examiner	:	
	:	
Docket No.	:	DYN106.CIP

December 6, 2012

DECLARATION UNDER 37 C.F.R. § 1.131

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

Dear Commissioner:

1. I, Mark Zehfuss, do declare and state:

2. I am the sole inventor of claims 15 to 19 and am President of Baby Jogger, LLC, owner of the above-identified application.

3. The Meeting Notes attached hereto were prepared by me or under my direct supervision. All work and associated writings associated with the invention were carried out in China or the United States.

4. All dates on the attached exhibits have been masked and were prepared and are dated prior to November 7, 2011.

5. Baby Jogger, LLC develops, manufactures, and sells strollers and other products. Certain products of Baby Jogger, LLC are manufactured in China at a factory owned by Unique Product & Design Co., LTD., No. 5, Ming Dong Road, Yongkang Dist., Tainan City, Taiwan.

6. Baby Jogger, LLC and Unique Product & Design Co., Ltd. collaborate on new stroller designs and were working on the stroller described in the above-referenced patent application and U.S. Patent Application Publication 2013/0113188 cited by the examiner.

7. The cited U.S. Patent Application Publication 2013/0113188 is assigned to Unique Product & Design Co., Ltd. and the listed inventor, Gordon Liao, is the President of Unique Product & Design Co., Ltd.

8. In a meeting with Gordon Liao and engineers of Unique Product & Design Co., Ltd., I invented the folding seat for the stroller as claimed to solve the problem that the stroller as presented in the meeting would not fold compactly when the seat was in either the forward or rearward position. I suggested adding a folding unit between the upper and lower tubes of the stroller seat so that the stroller could be folded compactly. The engineers at Unique Product & Design Co., Ltd. reduced my invention to practice and the stroller is now being sold by Baby Jogger, LLC as the CITY VERSA.

9. I completed the invention as described and claimed in Claims 15 to 19 in the above-identified application as evidenced by the attached Meeting Notes. The Meeting Notes are not a complete record of the discussions in the meeting. I suggested using a folding mechanism similar to the folding mechanism used on the stroller frame to allow the compact fold. Unique Product & Design Co., Ltd. filed the cited patent application published as U.S. Patent Application Publication 2013/0113188 on other aspects of the stroller.

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

Date: 12/6/13



Mark Zehfuss

Inventor and President, Baby Jogger, LLC.

[redacted]

Meeting Notes

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

4. Need the seat to be smaller than the frame when folded. Suggest folding the seat in half some way.

[redacted]

Electronic Acknowledgement Receipt	
EFS ID:	17589591
Application Number:	13418101
International Application Number:	
Confirmation Number:	5724
Title of Invention:	BABY STROLLER
First Named Inventor/Applicant Name:	Mark Zehfuss
Correspondence Address:	Bernard G. Pike Pike IP Law, PLLC P.O. Box 8592 - Richmond VA 23226 US - mail@pikeiplaw.com
Filer:	Bernard Pike
Filer Authorized By:	
Attorney Docket Number:	DYN106.CIP
Receipt Date:	06-DEC-2013
Filing Date:	12-MAR-2012
Time Stamp:	14:49:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	DYN106CIPResponseOA.pdf	90721 0c38d6cc4fc219ec929129bc3f92d1fdce94af4b	no	6
Warnings:					
Information:					
2	Affidavit-Rule 131-pre-AIA (FTI) ONLY	DYN106CIPDeclaration.pdf	108445 3bbd33f6be57fae2dc5bb98975ac574eb4f04bb8	no	2
Warnings:					
The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
Information:					
3	Affidavit-Rule 131-pre-AIA (FTI) ONLY	DYN106CIPMeetingNotesRedacted.pdf	82052 fa68f07a87591ec09287befd567a038e5466274c	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	281218		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/418,101	Filing Date 03/12/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	12/06/2013	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 5	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***5	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/MARQUITA JONES/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/418,101	03/12/2012	Mark Zehfuss	DYN106.CIP	5724

7590 02/05/2014

Bernard G. Pike
Pike IP Law, PLLC
P.O. Box 8592
Richmond, VA 23226

EXAMINER	
CLEMMONS, STEVE M	
ART UNIT	PAPER NUMBER
3618	
MAIL DATE	DELIVERY MODE
02/05/2014	PAPER

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

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

MOCKINGBIRD ET AL. EX1079
MOCKINGBIRD ET AL. V. BABY JOGGER
IPR2025-01095

Office Action Summary	Application No. 13/418,101	Applicant(s) ZEHFUSS, MARK	
	Examiner STEVE CLEMMONS	Art Unit 3618	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* 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 *6 Dec 2013*.

☐ 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) *15-19* is/are pending in the application.

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

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *15-19* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

4) ☐ Other: _____.

MOCKINGBIRD ET AL. EX1079
MOCKINGBIRD ET AL. V. BABY JOGGER
IPR2025-01095

DETAILED ACTION

1. This is in reply to papers filed on December 6, 2013. Claim 15-19 are pending. Claim 15 is independent.

Notice of Pre-AIA or AIA Status

2. The present application is being examined under the pre-AIA first to invent provisions.

Priority

3. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows: The sole inventor in the present application is not a named inventor or co-inventor of the prior-filed application serial number 13/290,189. At least one common inventor between the current application and the prior application is required. Since the applications do not have at least one common named inventor, the benefit claim to the prior-filed nonprovisional application is improper. Applicant is required to delete the claim to the benefit of the prior-filed application, unless applicant can establish at least one common inventor between the applications.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of pre-AIA 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 –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 15-19 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Liao (US 2013/0113188).**

6. The claims are clearly anticipated by the prior-filed Liao patent application having nearly identical figures and with substantially the same detailed description of the invention including like reference numbers and component names and descriptions. Each of the limitations of claims 15-19 are clearly disclosed in the Liao figures and specification.

Response to Amendment

7. The declaration filed on December 6, 2013 under 37 CFR 1.131(a) has been considered but is ineffective to overcome the Liao reference.

8. The Liao reference is a U.S. patent or U.S. patent application publication of a pending or patented application that claims the rejected invention. An affidavit or declaration is inappropriate under 37 CFR 1.131(a) when the reference is claiming interfering subject matter as defined in 37 CFR 41.203(a), see MPEP Chapter 2300. If the reference and this application are not commonly owned, the reference can only be overcome by establishing priority of invention through interference proceedings. See MPEP Chapter 2300 for information on initiating interference proceedings. If the reference and this application are commonly owned, the reference may be disqualified as prior art by an affidavit or declaration under 37 CFR 1.131(c). See MPEP § 718.

Conclusion

9. **THIS ACTION IS MADE FINAL.** 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 mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVE CLEMMONS whose telephone number is (313)446-4842. The examiner can normally be reached on Monday through Friday 7:00 AM to 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J Allen Shriver can be reached on 571-272-6698. 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.

/J. ALLEN SHRIVER II/
Supervisory Patent Examiner, Art Unit 3618

/S.C./
Steve Clemmons
Patent Examiner, Art Unit 3618

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13418101	ZEHFUSS, MARK
	Examiner	Art Unit
	STEVE CLEMMONS	3618

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	08/27/2013	01/31/2014							
	1	✓	-							
	2	✓	-							
	3	✓	-							
	4	✓	-							
	5	✓	-							
	6	✓	-							
	7	✓	-							
	8	✓	-							
	9	✓	-							
	10	✓	-							
	11	✓	-							
	12	✓	-							
	13	✓	-							
	14	✓	-							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	13/418,101
Confirmation No.	:	5724
First Named Inventor	:	Mark Zehfuss
Filing Date	:	March 12, 2012
Art Unit	:	
Examiner	:	
	:	
Docket No.	:	DYN106.CIP

July 22, 2014

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Petition indicating Proof of Pertinent Facts concerning Inventor that Refuses to Sign a Declaration

Sir:

A joint inventor of the above referenced patent application refuses to sign an Oath or Declaration. The pertinent facts of the refusal to sign the declaration are provided in the Remarks.

REMARKS

1. The above referenced patent application was filed on March 12, 2012 and is a continuation-in-part application claiming priority to U.S. Patent Application Serial No. 13/290,189, now U.S. Patent No. 8,596,669.

2. U.S. Patent No. 8,596,669 lists one inventor, Gordon Liao, and claims a stroller frame comprising, among other things, two joints, wherein each of the two joints comprises a rotatable base pivotally mounted to the joint about the joint axis and a chair is carried by the rotatable base of each of the two joints and pivotal therewith.

3. U.S. Patent No. 8,596,669 further describes, but does not claim, a chair that includes a folding joint, such that the chair can be folded directly onto the stroller frame to provide a simple, easy and quick operation and to achieve the effect of reducing the storage volume of the baby stroller.

4. The above referenced patent application claims a stroller comprising, among other things, a chair, wherein the chair comprises a fabric seat, upper and lower tubes mounted onto the seat, and a folding unit installed between the upper and lower tubes. Mark Zehfuss and Gordon Liao were both listed as inventors on the Application Data Sheet originally filed with the application.

5. The claims of the above referenced patent application as amended include inventions of both Mark Zehfuss and Gordon Liao.

6. Mark Zehfuss has signed a Declaration that was filed on April 16, 2012 and signed a replacement Declaration listing Gordon Liao herewith.

7. Gordon Liao has refused to sign the Declaration in the above referenced patent application. At the time of filing the above referenced application, Mr. Liao refused to sign an inventor's declaration at the time of filing the above referenced application.

8. Additionally, Mr. Liao was contacted by email on April 22, 2014 and April 23, 2014. These emails described to Mr. Liao the differences between the parent application, U.S. Patent No. 8,596,669, and the continuation-in-part application referenced above. The emails included a copy of the specification, drawings, claims and an inventor's declaration for his signature.

9. Mr. Liao responded with questions concerning the above referenced patent and a reply email was sent to Mr. Liao on April 24, 2014 including a copy of his parent application, answering his questions, and repeating the explanation of the differences between the parent application and the above referenced patent application.

10. After a series of emails, Mr. Liao refused to sign an oath or declaration indicating that he had no need to sign the above referenced patent application to join in the application in an email to Bernard G. Pike on April 29, 2014. Mr. Liao repeated his refusal to Mr. Zehfuss subsequently. The amended claim set of the above referenced application include dependent claims with limitations that are substantially the same as the claims issued in U.S. Patent No. 8,596,669 in which Mr. Liao is listed as the sole inventor.

11. Mr. Liao's last known address is:

No. 5, Ming Dong Road
Yong Kang District
Tainen City, Taiwan

12. Mr. Liao is an inventor of the claims as amended in the above referenced patent application and refuses to sign an oath or declaration. The United States Patent and Trademark Office is petitioned to add Mr. Liao as an inventor.

CONCLUSIONS

Applicant respectfully request consideration of this petition for the above referenced patent application. Should there be any concern, the examiner is requested to contact the undersigned at the telephone number given below so that the concern may be resolved without issuance of an additional Office Action.

Sincerely,

/Bernard G. Pike/

Bernard G. Pike
Registration No. 46,993

Pike IP Law, PLLC
P.O. Box 8592
Richmond, Virginia 23226
Telephone: 804-615-3939

Electronic Patent Application Fee Transmittal

Application Number:	13418101
Filing Date:	12-Mar-2012
Title of Invention:	BABY STROLLER
First Named Inventor/Applicant Name:	Mark Zehfuss
Filer:	Bernard Pike
Attorney Docket Number:	DYN106.CIP

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition Fee-37CFR 1.17(h) (Group II)	2464	1	70	70
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
			Total in USD ($)	**770**

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Bernard G. Pike
Pike IP Law, PLLC
P.O. Box 8592
Richmond VA 23226

MAILED
NOV 17 2014
OFFICE OF PETITIONS

In re Application of	:	
Zehfuss	:	DECISION REFUSING STATUS
Application No. 13/418,101	:	UNDER 37 CFR 1.47(a)
Filed: March 12, 2012	:	
Attorney Dkt. No. DYN106.CIP	:	
For: BABY STROLLER	:	

This is in response to the petition under 37 CFR 1.47(a), filed July 23, 2014.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

It is first noted that petitioner has failed to submit a separate request to add Gordon Liao to the inventive entity. Pre-AIA 37 CFR 1.41(a)(1) defines the inventorship of a nonprovisional application as that inventorship set forth in the oath or declaration. Any request under 37 CFR 1.48 filed after September 16, 2012 must follow the rules currently in effect for 37 CFR 1.48.

A request to correct the inventorship filed under 37 CFR 1.48(a) should identify the inventorship change and must be accompanied by a signed application data sheet (ADS) including the legal name, residence, and mailing address of the inventor or each actual joint inventor (see 37 CFR 1.76(b)(1)) and the processing fee set forth in 37 CFR 1.17 (i).

37 CFR 1.48(b) provides that an oath or declaration as required by 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, will be required for any actual inventor who has not yet executed such an oath or declaration. In a pre-AIA application, the declaration must meet the requirements of pre-AIA 37 CFR 1.63. A substitute statement in compliance with 37 CFR 1.64 is only available for applications filed on or after September 16, 2012. See MPEP § 604 for the requirements for substitute statements.

Regarding petitioner's request under 37 CFR 1.47(a), the petition is **dismissed**.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks item(s) (1) and (3) set forth above.

As to item (1), rule 47 applicant must demonstrate with documented evidence that an inventor refuses to join in the application after having been presented with the application papers (specification, claims, drawings and oath or declaration). Petitioner has failed to provide sufficient evidence to demonstrate the application papers (specification, claims, drawings and oath or declaration) for the instant application were presented to the non-signing inventor Liao. Where it cannot be established that the application papers were received, the Office cannot find that the inventor's failure to respond can be construed as refusal if it cannot be verified that the application papers were received.

Where the application papers (specification, claims, drawings and oath or declaration) are sent via electronic mail, it must be established that the inventor continues to receive mail at the e-mail address and that the copy of the application papers were viewable.

Where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. Where there is a written refusal, a copy of the document(s) evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 applicant that an omitted inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in an affidavit or declaration. If there is documentary evidence to support facts alleged in the affidavit or declaration, such evidence must be submitted.

Whenever an omitted inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

Unless petitioner can show that a copy of the application papers was presented to the non-signing inventor , then petitioner will have to mail a copy of the complete application papers (specification, claims and drawings) to the last known address of the joint inventors, return receipt requested. A cover letter of instructions should accompany the mailing of the application papers setting a deadline or a statement that no response will constitute a refusal. This sort of ultimatum lends support to a finding of refusal by conduct. The proof of the pertinent events should be made by a statement of someone with firsthand knowledge of the events and should include documentary evidence, such as certified mail return receipt, cover letter of instructions, telegram, etc. See MPEP 409.03(d).

As to item (3), petitioner has failed to provide the proper petition fee in the amount of $100.00 pursuant to 37 CFR 1.17(g).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Correspondence regarding this decision may also be filed through the electronic filing system of the USPTO.

Telephone inquiries should be directed to the undersigned at (571) 272-3215.

/Charlema Grant/
Charlema Grant
Attorney Advisor
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	13/418,101
Confirmation No.	:	5724
First Named Inventor	:	Mark Zehfuss
Filing Date	:	March 12, 2012
Docket No.	:	DYN106.CIP

Mail Stop PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Request for Reconsideration of Petition Under 37 C.F.R. 1.47(a)

Dear Commissioner:

Applicant respectfully submits that a joint inventor, Gordon Liao, in the above referenced patent application (hereinafter, the "Subject Application") refuses to sign an Oath or Declaration. The pertinent facts and evidence of the refusal to sign the Declaration in the Subject Application are provided in the Remarks and the associated Appendices. Additionally, Applicant herein submits a new Declaration listing both inventors of the claimed invention to establish the inventorship of the Subject Application.

Reconsideration of the Petition in view of the obvious refusal to sign the Declaration is respectfully requested.

MOCKINGBIRD ET AL. EX1079
MOCKINGBIRD ET AL. V. BABY JOGGER
IPR2025-01095

REMARKS

The evidence presented herein to support the Petition to add Gordon Liao as an inventor in the Subject Application. Mr. Liao has on multiple occasions refused to sign a Declaration in the Subject Application after being presented with the specification, drawings, claims and repeated explanations of the differences between the parent application and the Subject Application. The reply emails indicated that he reviewed the documents and planned to consult his attorney. Copies of the multiple written documents evidencing the refusals are part of this Affidavit and associated Appendices.

1. Mark Zehfuss, joint inventor, signed a replacement Declaration listing both inventors on July 22, 2014 (filed herewith). A replacement Application Data Sheet listing the joint inventors, Mark Zehfuss and Gordon Liao, and correcting their addresses was filed on July 23, 2014. (See Appendix A). Mr. Liao is listed as an inventor on approximately one hundred (100) United States patents. (See Appendix A).
2. Gordon Liao has refused to sign the Declaration in the above referenced patent application. Evidence of Mr. Liao's continued refusal to sign an inventor's Declaration is provided in the Appendices.
3. Mr. Liao was contacted by email on April 22, 2014 and April 23, 2014. The email of April 23, 2014 provides the specification clearly showing the differences between the parent application, issued as U.S. Patent No. 8,596,669 (hereinafter, the "Parent Patent"), filed by Mr. Liao and the Subject Application which claims priority to the Parent Patent as a continuation-in-part application. The Subject Application includes the same drawings as the parent application. (See Appendix B).
4. Mr. Liao responded with questions concerning the Subject Application and an indication that he would contact his attorney. (See Appendix C). A reply email was sent to Mr. Liao on April 24, 2014 including a copy of his Parent Patent, answering his question, repeating the explanation of the differences between the Parent Patent and the Subject Application, and the purpose for filing the Subject Application. (See Appendix D.)
5. After an exchange of emails on April 28, 2014 again including a copy of the Parent Patent help Mr. Liao in understanding the differences in the Parent Patent and the Subject Application, Mr. Liao refuses to sign the Declaration. Mr. Liao indicates that there is no need to sign the Declaration for the Subject Application to join as inventor in an email on April 29, 2014. Mr. Liao

states that the Subject Application is the same as the Parent Patent as a reason not to sign the Declaration despite explanations of the differences and a copy of the specification showing the changes with underlining and strike through. (See Appendix E.) Mr. Liao repeated his refusal to Mr. Zehfuss subsequently. The amended claim set currently pending includes claims that include the mechanism of the folding seat that was invented by Mr. Liao.

6. On November 21, 2014, Mr. Liao was asked to reconsider the Declaration for the Subject Application. The email included attachments with the drawings, specification, Inventor Declaration listing both inventors, and the claims currently pending as attachments. (See Appendix F.).
7. On November 23, 2014, Mr. Liao responded to the email in Appendix F with four (4) emails again refusing to sign the Declaration. (See Appendix G.)
8. A reply email to Mr. Liao was sent on November 25, 2014 asking Mr. Liao to reconsider and explaining why his signature is needed on the Declaration. (See Appendix H.) The email of November 25, 2014 again included all the attachments (drawings, specification, Inventor Declaration listing both inventors, and the claims currently pending) of the email on November 21, 2014. These attachments are not repeated in Appendix G but are the same as included in Appendix F.
9. On November 26, 2014, Mr. Liao sent two emails again refusing to sign the Declaration and clearly stating that he believes that there is "no need to think it over again" despite repeated explanations of the legal requirement of his signature and the differences between the Parent Patent and the Subject Application. (See Appendix I).
10. Mr. Liao is an inventor of the claims as amended in the Subject Application and refuses to sign a Declaration. The United States Patent and Trademark Office is petitioned to add Mr. Liao as an inventor based upon the evidence provided.

APPENDIX A

PTO/SB/01A (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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.

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

Title of Invention	Baby Stroller

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐ The attached application, or

☒ United States application or PCT international application number 13/418101

filed on March 12, 2012

☒ As amended on December 6, 2013 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. The above-identified application was made or authorized to be made by me/us.

WARNING:

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

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) or both.

FULL NAME OF INVENTOR(S)

Inventor one: Mark Zehfuss Date: 7/22/14

Signature: Mark Zehfuss Citizen of: US

Inventor two: Gordon Liao Date:

Signature: Citizen of: TW

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

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

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

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.

PTO/SB/14 (11-08)
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	DYN106.CIP
	Application Number	
Title of Invention	BABY STROLLER	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

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

Applicant Information:

Applicant 1

Applicant Authority ◉ Inventor ○ Legal Representative under 35 U.S.C. 117 ○ Party of Interest under 35 U.S.C. 118

Prefix	Given Name	Middle Name	Family Name	Suffix
Mr.	Mark		Zehfuss	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Richmond	State/Province	VA	Country of Residence	US

Citizenship under 37 CFR 1.41(b): US

Mailing Address of Applicant:

Address 1	~~5129 Austin Hooley Drive~~ 10804 Cherry Hill Drive		
Address 2			
City	Glen Allen	State/Province	VA
Postal Code	23059	Country	US

Applicant 2

Applicant Authority ◉ Inventor ○ Legal Representative under 35 U.S.C. 117 ○ Party of Interest under 35 U.S.C. 118

Prefix	Given Name	Middle Name	Family Name	Suffix
Mr.	Gordon		Liao	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	~~Yung Kang City~~ Tainen City	State/Province	TW	Country of Residence	TW

Citizenship under 37 CFR 1.41(b):

Mailing Address of Applicant:

Address 1	No. 5, Ming Dong Road		
Address 2	~~Tainan Hsien~~ Yong Kang District		
City	~~Yung Kang City~~ Tainen City	State/Province	
Postal Code		Country	TW

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☒ An Address is being provided for the correspondence Information of this application.

PTO/SB/14 (11-08)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	DYN106.CIP
	Application Number	
Title of Invention	BABY STROLLER	

Name 1	Bernard G. Pike	Name 2	Pike IP Law, PLLC
Address 1	P.O. Box 8592		
Address 2			
City	Richmond	State/Province	VA
Country	US	Postal Code	23226
Phone Number		Fax Number	
Email Address	mail@pikeiplaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	BABY STROLLER		
Attorney Docket Number	DYN106.CIP	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	25	Suggested Figure for Publication (if any)	9

Publication Information:

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

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

Representative Information:

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

Please Select One:	○ Customer Number	◉ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)

Prefix	Given Name	Middle Name	Family Name	Suffix	
	Bernard	G.	Pike		Remove

Registration Number	46993

Additional Representative Information blocks may be generated within this form by selecting the Add button.

PTO/SB/14 (11-08)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	DYN106.CIP
	Application Number	
Title of Invention	BABY STROLLER	

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status	Pending		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
13418101	Continuation in part of	13290189	2011-11-07

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

Application Number	Country	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			◉ Yes ○ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

Assignee 1

If the Assignee is an Organization check here. ☒

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

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

Signature	/Bernard G. Pike/			Date (YYYY-MM-DD)	2014-07-23
First Name	Bernard	Last Name	Pike	Registration Number	46993

MOCKINGBIRD ET AL. EX1079
MOCKINGBIRD ET AL. V. BABY JOGGER
IPR2025-01095

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	DYN106.CIP
	Application Number	
Title of Invention	BABY STROLLER	

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

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Refine Search in/liao and in/gordon and an/"unique product" and ICN/TW

	PAT. NO.		Title
1	8,869,652	T	Power assisting transmission system of power assisting bike
2	8,720,912	T	Golf bag cart
3	8,613,463	T	Front wheel folding device of golf bag cart
4	8,596,669	T	Baby stroller
5	8,596,653	T	Two-fold four-wheel golf bag cart folding device
6	8,544,871	T	Three-fold three-wheel golf bag cart folding device
7	8,500,153	T	Folding joint of golf bag cart
8	8,500,140	T	Front wheel folding device for three-wheel cart including golf bag cart, baby cart or goods transport cart
9	8,480,098	T	Golf bag cart
10	8,408,580	T	Baby stroller folding device
11	8,403,355	T	Golf bag cart foldable device
12	8,393,633	T	Golf bag cart foldable device
13	8,381,954	T	Scoreboard structure for golf carts
14	8,292,321	T	Golf bag cart foldable device
15	D664,732	T	Golf cart
16	8,226,112	T	Golf bag cart foldable device
17	8,226,110	T	Foldable joint for baby stroller
18	8,205,723	T	Brake apparatus for carts with three or more wheels such as golf bag carts, baby strollers and the like

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19 D657,524 T Golf cart
20 D657,522 T Golf cart
21 8,146,879 T Umbrella holder
22 8,128,104 T Golf bag cart front wheel foldable device
23 8,104,777 T Golf cart collapsible device
24 D647,679 T Golf cart
25 D646,674 T Holder
26 7,965,011 T Brushless DC motor structure with a constant ratio of magnetic rotor poles to stator slots
27 D637,783 T Golf cart
28 D634,245 T Pushchair frame
29 D634,114 T Umbrella holder
30 D634,091 T Golf cart
31 D632,449 T Golf cart
32 D632,040 T Golf cart
33 7,866,685 T Golf cart collapsible device
34 7,862,053 T Golf bag cart foldable device
35 D629,994 T Golf cart
36 D629,993 T Golf cart
37 D623,395 T Umbrella holder
38 D621,306 T Combination pushchair frame
39 D621,286 T Scoreboard for a golf club cart
40 7,770,912 T Front wheel foldable device for golf cart
41 D621,120 T Golf cart
42 D610,063 T Wheel for a golf cart
43 7,617,569 T Articulation having angle adjustable function
44 D599,973 T Golf cart
45 7,552,931 T Golf cart collapsible device
46 D593,459 T Combination pushchair frame
47 D586,522 T Golf cart
48 D586,264 T Baby trailer
49 D580,618 T Golf cart
50 D578,045 T Baby stroller

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	PAT. NO.		Title
51	D576,083	T	Baby stroller
52	D574,571	T	Golf cart
53	D570,571	T	Golf cart
54	D554,324	T	Front lower frame of a golf trolley
55	D549,421	T	Golf cart
56	7,258,353	T	Stroller having front wheel positioning device
57	D548,420	T	Golf cart
58	7,237,632	T	Powered mechanism for universal golf cart
59	7,213,830	T	Detachable device for auxiliary wheel of golf cart
60	D531,778	T	Golf cart
61	D531,374	T	Golf cart
62	7,090,231	T	Adjustable front fork blade for stroller
63	7,000,928	T	Third wheel collapsing device for a golf club cart
64	6,969,078	T	Third wheel collapsing device for a golf club cart
65	6,958,561	T	Stator winding structure of a motor or a generator
66	D506,418	T	Baby stroller
67	D506,417	T	Baby stroller
68	6,811,162	T	Front wheel adjusting device for a golf cart
69	6,781,278	T	Assembling type stator structure for motor

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70	D493,018	T	Golf cart
71	6,734,596	T	Assembling type rotor structure of brushless motor
72	6,719,319	T	collapsing device for the third wheel of a golf cart
73	6,715,291	T	Parallel mixed power unit
74	D462,152	T	Golf cart
75	D461,996	T	Drink caddy
76	D461,958	T	Insert for a golf bag to protect golf clubs
77	D454,996	T	Golf cart
78	D450,902	T	Golf cart
79	D450,416	T	Golf cart
80	D450,415	T	Golf cart
81	D450,168	T	Golf cart
82	D450,167	T	Golf cart
83	D446,620	T	Golf cart
84	6,273,520	T	Wheel supporter and shaft for a golf cart
85	D444,116	T	Disk wheel for golf cart
86	D443,967	T	Disk wheel for golf cart
87	D437,097	T	Golf cart
88	D436,707	T	Golf cart
89	D435,501	T	Disk wheel for golf club cart
90	6,126,184	T	Golf cart handle adjusting device
91	6,120,106	T	Wheel supporter and shaft for a golf cart
92	6,099,024	T	Golf cart collapsible device
93	6,099,020	T	Golf club cart
94	6,079,718	T	Golf club cart collapsing device
95	D423,746	T	Golf cart
96	D423,417	T	Tire of golf club cart
97	5,988,716	T	Golf ball pickup
98	D410,312	T	Golf cart
99	D401,730	T	Utility tray for golf club carts
100	5,685,660	T	Collapsible frame assembly

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Refine Search in/liao and in/gordon and an/"unique product" and ICN/TW

	PAT. NO.		Title
101	5,683,195	T	Foldable frame assembly
102	5,466,051	T	Releasable wheel assembly for golf cart
103	5,421,434	T	Wheel assembly having clutch and brake mechanism

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