

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Paul Howard

Application No.: 13/176,298

Confirmation No.: 4342

Filed: July 5, 2011

For: Feedback Control in an FDD TDD-CDMA
System

Group: 2476

Examiner: Ronald B. Abelson

Our File: IPW2-USCN191712

Date: March 29, 2014

DECLARATION PURSUANT TO 37 C.F.R. §1.131

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

1. I, Paul Howard, am the sole inventor of the subject matter of the above-identified patent application as described therein.
2. The above-referenced application is a continuation of U.S. Appln. No. 11/646,692, filed December 27, 2006, which issued as U.S. Patent No. 8,009,639, which also lists me as the sole inventor.
3. Prior to December 27, 2006, the U.S. effective filing date of the above-identified patent application, I conceived of and completed the invention disclosed and claimed in the above-identified patent application.
4. The acts relied upon to establish a date prior to U.S. Publication 2007-0265017 to Ishii (hereinafter "Ishii" that has an effective U.S. filing date under Pre-AIA 35 U.S.C. 102(e) of November 29, 2006) were carried out in the United Kingdom. As required by 37 CFR 1.131(a), the United

Kingdom was a World Trade Organization (WTO) member country prior to December 27, 2006 and during the entire period of the acts being relied upon herein.

5. Prior to November 29, 2006, I received an email from outside U.S. counsel, Morrison Foerster, to discuss an Invention Disclosure (also referred to as the IPW 20074.00 application) that I had previously prepared for the subject matter of the above-identified patent application (Exhibit A). The dates in the Invention Disclosure are redacted in Exhibit A, but are prior to November 29, 2006. The Invention Disclosure discloses the features of the subject matter claimed in this application.
6. Prior to November 29, 2006, and after the date of Exhibit A, I received an email from U.S. outside counsel, Morrison Foerster, to further discuss the subject matter of the above-identified patent application (Exhibit B). The dates in the email are redacted in Exhibit B, but are prior to November 29, 2006.
7. I received an email from U.S. outside counsel, Morrison Foerster, for feedback related to the subject matter of the above-identified patent application (Exhibit C) on October 13, 2006.
8. I received an email from U.S. outside counsel, Morrison Foerster, with the first draft of the above-identified patent application (Exhibit D) on December 15, 2006. The first draft of the above-identified patent application discloses the features claimed in this application.
9. The patent application, which resulted in U.S. Pat. No. 8,009,639, was then filed on December 27, 2006.

10. It was my intent to file a U.S. patent application based on the Invention Disclosure in Exhibit D without delay. As proven above, I worked diligently with U.S. patent counsel from a date prior to November 29, 2006 up to the filing date of December 27, 2006 to complete and file the application which resulted in U.S. Pat. No. 8,009,639.

11. I have been warned that willful false statement and the like are punishable by fine or imprisonment or both (18 U.S.C. §1001) and may jeopardize the validity of the application or any patent issuing thereon.

We declare under penalty of perjury that the foregoing is true and correct.

Executed on this 31ST day of March 2014 at TONYSON COTTAGE
TONYSON ROAD
BRISTOL BS7 8SB
UNITED KINGDOM

Paul Howard
Paul Howard