



**UNITED STATES DEPARTMENT OF COMMERCE**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
11024967	12/30/2004	EGNOR ET AL.	0026-0130

HARRITY & HARRITY, LLP  
11350 Random Hills Road  
SUITE 600  
FAIRFAX, VA 22030

**EXAMINER**

JAMES HWA

ART UNIT	PAPER
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2163

20090619

DATE MAILED:

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

**Commissioner for Patents**

THE REPLY BRIEF FILED ON 06/03/2009 HAS BEEN CONSIDERED AND ENTERED BY THE EXAMINER, THE REPLY BRIEF HAS BEEN FORWARDED TO THE BOARD OF APPEAL

/Cam Y Truong/  
Primary Examiner, Art Unit 2169



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/024,967	12/30/2004	Daniel Egnor	0026-0130	7261
44989	7590	06/18/2009	EXAMINER	
HARRITY & HARRITY, LLP 11350 Random Hills Road SUITE 600 FAIRFAX, VA 22030			HWA, SHYUE JIUNN	
			ART UNIT	PAPER NUMBER
			2163	
			MAIL DATE	DELIVERY MODE
			06/18/2009	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* DANIEL EGNOR and GEETA CHAUDHRY

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Application No. 11/024,967  
Technology Center 2100

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Mailed: June 18, 2009

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Before Deborah L. Perry, Supervisory Paralegal Specialist, Review Team.  
Perry, Supervisory Paralegal Specialist, Review Team.

**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

This application was electronically received by the Board of Patent Appeals and Interferences on June 8, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on June 3, 2009. Please note, this Reply Brief was not timely filed, however there is no evidence on the record indicating that the Examiner has considered and/or acknowledged the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Consideration and/or acknowledgement of the receipt of the Reply Brief is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider and/or acknowledge receipt of the Reply Brief filed June 3, 2009, and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/bar

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