

		OR US-4449731-\$.DID. OR US-4451059-\$.DID. OR US-4466634-\$.DID. OR US-4475743-\$.DID. OR US-4489956-\$.DID. OR US-4553772-\$.DID. OR US-4602804-\$.DID. OR US-4625991-\$.DID. OR US-4753452-\$.DID. OR US-4758017-\$.DID. OR US-5160159-\$.DID. OR US-7887084-\$.DID.				
S36	47	("20020101063" "2676813" "3578350" "3606370" "3610650" "3620545" "3695625" "3727932" "3734520" "3734522" "3773344" "3825273" "3865388" "3897076" "3902728" "3905613" "3909029" "3936062" "3992032" "4052086" "4065151" "4070034" "4111453" "4183549" "4264088" "4266806" "4268064" "4286801" "4288094" "4288095" "4294461" "4307898" "4429896" "4444413" "4449731" "4451059" "4466634" "4475743" "4489956" "4553772" "4602804" "4625991" "4753452" "4758017" "5160159").PN. OR ("7887084").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/06/19 13:48
S37	160	("3129951" "3317217" "3325178" "3326567" "3351354" "3366394" "3408087" "3432180" "3473817" "3497230" "3527468" "3529845" "3529846" "3550996" "3554571" "3554572" "3578350" "3580597" "3594015" "3604720" "3606369" "3608918" "3610650" "3620544" "3620545" "3625532" "3675937" "3727935" "3733082" "3734520" "3762735" "3778073" "3820804" "3830510" "3836163" "3876219" "3909023" "3933363" "3937480" "3944237" "3950001" "3989273" "3989274" "4022493" "4033603" "4060257" "4103930" "4111453" "4165883" "4183549" "4188045" "4190264" "4214773" "4307895" "4421341" "4444413" "4489956" "4533155" "4607859" "4624473" "4625991" "4681338" "4773669" "5024457" "RE26670").PN. OR ("3578350" "3620545" "3695625" "3734520" "4111453" "4183549" "4266806" "4444413" "4449731" "4451059" "4466634" "4475743" "4489956" "4602804" "4625991" "4758017" "5160159").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/06/19 14:01
S38	1	"12984293"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/12 13:08
S39	1322	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2012/06/12 14:16

S40	367	S39 and ((horizontal or lateral) with release)	USPAT	OR	OFF	2012/06/12 14:16
S41	245	S39 and ((horizontal or lateral) adj6 release)	USPAT	OR	OFF	2012/06/12 14:16
S42	189	S39 and heel and ((horizontal or lateral) adj6 release)	USPAT	OR	OFF	2012/06/12 14:17
S43	2	"20030107352"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/14 11:20
S44	1336	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2013/03/25 13:08
S45	555	S44 and ((lateral or side) with (pressure or force))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:09
S46	418	S45 and heel	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:09
S47	398	S45 and heel and (boot or footwear)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:10
S48	356	S45 and heel and (boot or footwear) and (release or releasing)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:11
S49	292	S45 and heel and (boot or footwear) and ((side or lateral) same (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:14
S50	241	S45 and heel and (boot or footwear) and ((side or lateral) with (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:14
S51	67	S45 and heel and (boot or footwear) and ((side or lateral) with (release or	US-PGPUB; USPAT;	OR	ON	2013/03/25 13:22


		releasing) with (limit or limited or predetermined))	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S52	6	"12001436"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/02/03 13:53
S53	2	("7887084").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/02/03 13:55
S54	43	"280"/\$.ccls. and (ski and "heel assembly")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/02/06 12:20
S55	38	(US-5160159-\$ or US-3620545-\$ or US-3578350-\$ or US-3695625-\$ or US-3734520-\$ or US-4111453-\$ or US-4183549-\$ or US-4266806-\$ or US-4444413-\$ or US-4449731-\$ or US-4451059-\$ or US-4466634-\$ or US-4475743-\$ or US-4489956-\$ or US-4602804-\$ or US-4625991-\$ or US-4758017-\$ or US-4165883-\$ or US-3687470-\$ or US-3773344-\$ or US-3920256-\$ or US-4142735-\$ or US-4145071-\$ or US-4340242-\$ or US-4360219-\$ or US-4395055-\$).did. or (US-4478426-\$ or US-4624473-\$ or US-4624474-\$ or US-4647065-\$ or US-4732405-\$ or US-4804202-\$ or US-4858946-\$ or US-5199736-\$ or US-3572738-\$ or US-3992032-\$ or US-4505494-\$ or US-4533156-\$).did.	USPAT	OR	OFF	2014/09/27 23:31
S56	66	(US-5160159-\$ or US-3620545-\$ or US-3578350-\$ or US-3695625-\$ or US-3734520-\$ or US-4111453-\$ or US-4183549-\$ or US-4266806-\$ or US-4444413-\$ or US-4449731-\$ or US-4451059-\$ or US-4466634-\$ or US-4475743-\$ or US-4489956-\$ or US-4602804-\$ or US-4625991-\$ or US-4758017-\$ or US-4165883-\$ or US-3687470-\$ or US-3773344-\$ or US-3920256-\$ or US-4142735-\$ or US-4145071-\$ or US-4340242-\$ or US-4360219-\$ or US-4395055-\$).did. or (US-4478426-\$ or US-4624473-\$ or US-4624474-\$ or US-4647065-\$ or US-4732405-\$ or US-4804202-\$ or US-4858946-\$ or US-5199736-\$ or US-	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/09/27 23:32

		3572738-\$ or US-3992032-\$ or US-4505494-\$ or US-4533156-\$).did.				
S57	38	S56 AND ((A63C9/0846 OR A63C9/0842 OR A63C9/0847 OR A63C9/0805 OR A63C9/005 OR A63C9/0845 OR A63C9/086 OR A63C9/081 OR A63C9/08564 OR A63C9/001 OR A63C9/0844 OR A63C9/08542 OR A63C9/0855 OR A63C9/0848 OR A63C9/007 OR A63C9/08571 OR A63C9/08578 OR A63C9/08521 OR A63C7/1013 OR A63C9/08 OR A63C9/0807 OR A63C9/08535 OR A63C9/08585 OR A63C7/1093 OR A63C9/003 OR A63C9/0802 OR A63C9/082 OR A63C9/0841 OR A63C9/085 OR A63C9/08507 OR A63C9/08528 OR Y10S280/12).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/09/27 23:33
S58	14661	(A63C9/0846 OR A63C9/0842 OR A63C9/0847 OR A63C9/0805 OR A63C9/005 OR A63C9/0845 OR A63C9/086 OR A63C9/081 OR A63C9/08564 OR A63C9/001 OR A63C9/0844 OR A63C9/08542 OR A63C9/0855 OR A63C9/0848 OR A63C9/007 OR A63C9/08571 OR A63C9/08578 OR A63C9/08521 OR A63C7/1013 OR A63C9/08 OR A63C9/0807 OR A63C9/08535 OR A63C9/08585 OR A63C7/1093 OR A63C9/003 OR A63C9/0802 OR A63C9/082 OR A63C9/0841 OR A63C9/085 OR A63C9/08507 OR A63C9/08528 OR Y10S280/12).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/09/27 23:35
S59	773	S58 and heel and (boot or footwear) and ((side or lateral) with (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/09/27 23:37
S60	14661	(A63C9/0846 OR A63C9/0842 OR A63C9/0847 OR A63C9/0805 OR A63C9/005 OR A63C9/0845 OR A63C9/086 OR A63C9/081 OR A63C9/08564 OR A63C9/001 OR A63C9/0844 OR A63C9/08542 OR A63C9/0855 OR A63C9/0848 OR A63C9/007 OR A63C9/08571 OR A63C9/08578 OR A63C9/08521 OR A63C7/1013 OR A63C9/08 OR A63C9/0807 OR A63C9/08535 OR A63C9/08585 OR A63C7/1093 OR A63C9/003 OR A63C9/0802 OR A63C9/082 OR A63C9/0841 OR A63C9/085 OR A63C9/08507 OR A63C9/08528 OR Y10S280/12).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/09/28 15:14
S61	508	S60 and heel and (boot or footwear) and (heel same ((side or lateral) with (release or releasing)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2014/09/28 15:14

			DERWENT; IBM_TDB			
S62	447	S61 and (force or pressure or impact)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/09/28 15:15

9/ 28/ 2014 10:22:23 PM

C:\Users\bavery\Documents\EAST\Workspaces\12984293.wsp

Search Notes 	Application/Control No. 12984293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.
	Examiner BRIDGET AVERY	Art Unit 3618

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner
A63C9/0846 OR A63C9/0842 OR A63C9/0847 OR A63C9/0805 OR A63C9/005 OR A63C9/0845 OR A63C9/086 OR A63C9/081 OR A63C9/08564 OR A63C9/001 OR A63C9/0844 OR A63C9/08542 OR A63C9/0855 OR A63C9/0848 OR A63C9/	9/27/14	BA
A63C9/08578 OR A63C9/08521 OR A63C7/1013 OR A63C9/08 OR A63C9/0807 OR A63C9/08535 OR A63C9/08585 OR A63C7/1093 OR A63C9/003 OR A63C9/0802 OR A63C9/082 OR A63C9/0841 OR A63C9/085 OR A63C9/08507 OR A63C	9/27/2014	BA

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
280	618, 624, 625, 626, 627, 628, 62, 632, 634	6/6/11	BA
search	updated	6/25/12	BA
search	updated	3/25/13	BA
search	updated	2/5/14	BA
search	updated	9/27/14	BA

SEARCH NOTES		
Search Notes	Date	Examiner

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
see	EAST search	9/27/14	BA


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Issue Classification 	Application/Control No. 12984293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.
	Examiner BRIDGET AVERY	Art Unit 3618

CPC					
Symbol				Type	Version
A63C		9	0844	F	2013-01-01
A63C		9	001	I	2013-01-01
A63C		9	0845	I	2013-01-01
A63C		9	0846	I	2013-01-01


CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

/BRIDGET AVERY/ Examiner.Art Unit 3618 (Assistant Examiner)	9/27/14 (Date)	Total Claims Allowed: 9	
/J. ALLEN SHRIVER II/ Supervisory Patent Examiner.Art Unit 3618 (Primary Examiner)	09/29/2014 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 2

Issue Classification 	Application/Control No. 12984293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.
	Examiner BRIDGET AVERY	Art Unit 3618

[illegible]

/BRIDGET AVERY/ Examiner.Art Unit 3618	9/27/14	Total Claims Allowed:	
(Assistant Examiner)	(Date)	9	
/J. ALLEN SHRIVER II/ Supervisory Patent Examiner.Art Unit 3618	09/29/2014	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	2

Issue Classification 	Application/Control No. 12984293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.
	Examiner BRIDGET AVERY	Art Unit 3618

[illegible]

/BRIDGET AVERY/ Examiner.Art Unit 3618	9/27/14	Total Claims Allowed:	
(Assistant Examiner)	(Date)	9	
/J. ALLEN SHRIVER II/ Supervisory Patent Examiner.Art Unit 3618	09/29/2014	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	2

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL **(Submitted Only via EFS-Web)**

Application Number	12984293	Filing Date	2011-01-04	Docket Number (if applicable)	2003127.00122US3	Art Unit	3618
First Named Inventor	Richard J. HOWELL			Examiner Name	B. D. Avery		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other _____

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☒ Other _____
 Petition for a One-Month Extension of Time and appropriate fee

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
 (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to
 Deposit Account No 08-0219

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/Donald R Steinberg/	Date (YYYY-MM-DD)	2014-06-24
Name	Donald R. Steinberg	Registration Number	37241

This collection of information is required by 37 CFR 1.114. 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 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.

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 the Freedom of Information Act requires disclosure of these records.
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 inspections 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.

Electronic Patent Application Fee Transmittal				
Application Number:	12984293			
Filing Date:	04-Jan-2011			
Title of Invention:	ALPINE SKI BINDING HEEL UNIT			
First Named Inventor/Applicant Name:	Richard J. Howell			
Filer:	Donald R. Steinberg/Janice Roussel			
Attorney Docket Number:	2003127.00122US3			
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:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	100	100

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
RCE - 2nd and Subsequent Request	2820	1	850	850
Total in USD (\$)				950

Electronic Acknowledgement Receipt

EFS ID:	19388416
Application Number:	12984293
International Application Number:	
Confirmation Number:	2029
Title of Invention:	ALPINE SKI BINDING HEEL UNIT
First Named Inventor/Applicant Name:	Richard J. Howell
Customer Number:	23483
Filer:	Donald R. Steinberg/Janice Roussel
Filer Authorized By:	Donald R. Steinberg
Attorney Docket Number:	2003127.00122US3
Receipt Date:	24-JUN-2014
Filing Date:	04-JAN-2011
Time Stamp:	10:42:24
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 950
RAM confirmation Number	8976
Deposit Account	080219
Authorized User	STEINBERG, DONALD R.
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		2014_06_24_122US3_Amendment_US_Pat_Appln_No_12984293.PDF	150649	yes	7
			7e1d92fb39bd57478ce81f992cfc53b5fd0b1227		
	Multipart Description/PDF files in .zip description				
	Document Description	Start	End		
	Amendment Submitted/Entered with Filing of CPA/RCE	1	1		
	Claims	2	3		
	Applicant Arguments/Remarks Made in an Amendment	4	7		
Warnings:					
Information:					
2	Extension of Time	2014_06_24_122US3_EOT_US_Pat_Appln_No_12984293.PDF	78047	no	1
			fa2474c47089227bebb7615a0092ea57b28b246e		
Warnings:					
Information:					
3	Request for Continued Examination (RCE)	2014_06_24_122US2_RCE_US_Pat_Appln_No_12984293.PDF	697772	no	3
			8b82a1e2fc7f90457e0c858869d17e620bf659f0		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	32181	no	2
			32c551ef4da7397f0987fdd0aa3f48a79ce98100		
Warnings:					
Information:					
Total Files Size (in bytes):			958649		

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.

Docket No.: 2003127.00122US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard J. HOWELL	Confirmation No.:	2029
Application No.:	12/984,293	Art Unit:	3618
Filed:	January 4, 2011	Examiner:	B. D. Avery
Title:	ALPINE SKI BINDING HEEL UNIT		

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

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

Dear Madam:

INTRODUCTORY COMMENTS

In response to the Office Action dated March 4, 2014 finally rejecting claims 1-9, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

A Request for Continued Examination and appropriate fee, as well as a request for a one-month extension of time and appropriate fee, are enclosed herewith.

ActiveUS 126114704v.1

Application No. 12/984,293
Amendment dated June 24, 2014
After Final Office Action of March 4, 2014

Docket No.: 2003127.00122US3

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A vector decoupling assembly for separating and isolating two or more force vectors applied to a safety binding securing a heel portion of a ski boot to a ski, comprising:
 - a lower heel assembly attached to the ski;
 - an upper heel assembly coupled to the lower heel assembly and having a lateral release assembly for applying lateral securing pressure to the ski boot, the upper heel assembly comprising an upper heel housing that is configured to compress the heel portion of the ski boot downward;
 - a linkage element fixedly attached to the lateral release assembly;wherein the linkage element, a first surface and a second surface cooperate to limit motion of the lateral release assembly to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski.
2. (Previously presented) The vector decoupling assembly of claim 1, wherein the first surface and the second surface are substantially parallel to one another.
3. (Previously presented) The vector decoupling assembly of claim 1, wherein the first surface and the second surface cooperate to limit motion of the linkage element to the longitudinal and horizontal plane of the ski.
4. (Previously presented) The vector decoupling assembly of claim 1, wherein the lateral release assembly is maintained in a predetermined neutral position in the absence of force vectors applied to the vector decoupling assembly.
5. (Previously presented) The vector decoupling assembly of claim 4, wherein the lateral release assembly moves in both a first direction and a second direction with respect to the neutral position.
6. (Previously presented) The vector decoupling assembly of claim 5, wherein the motion of the lateral release assembly is at least partially rotational.
7. (Previously presented) The vector decoupling assembly of claim 5, wherein a force required

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to move the lateral release assembly increases as the lateral release assembly moves away from the neutral position.

8. (Previously presented) The vector decoupling assembly of claim 7, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear.

9. (Previously presented) The vector decoupling assembly of claim 7, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is non-linear.

10. (Withdrawn) The vector decoupling assembly of claim 4, wherein the lateral release assembly moves only in a first direction with respect to the neutral position.

11. (Withdrawn) The vector decoupling assembly of claim 10, wherein the motion of the lateral release assembly is at least partially rotational.

12. (Withdrawn) The vector decoupling assembly of claim 10, wherein a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral position.

13. (Withdrawn) The vector decoupling assembly of claim 12, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear.

14. (Withdrawn) The vector decoupling assembly of claim 12, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is non-linear.

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REMARKS

Claims 1-14 are pending. Claims 10-14 have been withdrawn. Claims 1-9 have been rejected under 35 USC §102. Claim 1 has been amended, and support for the amendment can be found in at least paragraph 37 of the Application. No new subject matter has been added.

Rejections Under 35 U.S.C. §102

Claims 1-9 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,505,494 to Gertsch. Applicant respectfully traverses these rejections for at least the following reasons.

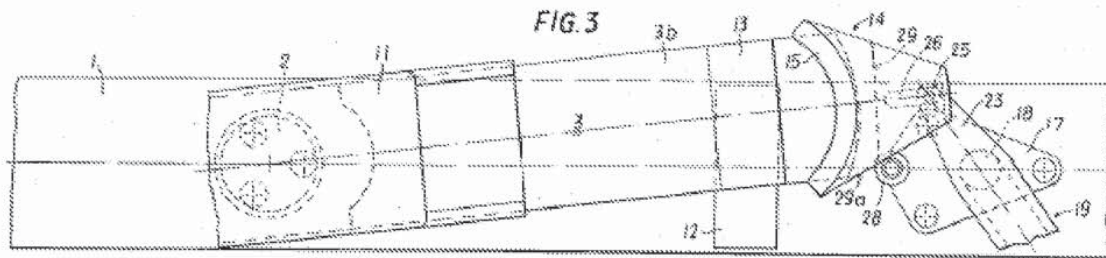
In Applicant's previous response filed October 8, 2013, Applicant explained that the lower heel assembly in the currently pending claims cannot correspond to element 17 of Gertsch as element 17 is actually a base plate for a lateral release means associated with the *toe ball portion* of a ski boot, rather than the heel portion of a ski boot. Office Action Response dated 10/8/13, p. 5. Furthermore, the upper heel assembly in the currently pending claims cannot correspond to the sole hold-down member 15 of Gertsch for the same reason: element 15 is used to hold down a *toe* portion of a ski boot, and not the heel portion. *See id.* at pp. 5-6. However, in the Office Action dated March 4, 2014, the Examiner once again rejected the claims over Gertsch. In particular, in the Response to Arguments section of the Office Action, the Examiner pointed Applicant's attention to column 6, lines 59-68 and column 7, line 1 of Gertsch as allegedly showing that Gertsch's lower heel assembly 17 and the lateral release means 16 are associated with the heel portion of a ski boot.

Applicant respectfully disagrees that the cited portions of Gertsch are associated with the heel portion of a ski boot. However, to expedite prosecution, Applicant has amended claim 1 to further clarify that the claimed upper heel assembly is for engaging with the heel portion of a ski boot. In particular, claim 1 now requires that the upper heel assembly comprise "an upper heel housing that is configured to compress a heel portion of a ski boot downward." Applicant submits that the cited portions of Gertsch do not disclose the upper heel assembly as currently claimed.

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The current Office Action points to pin 18 of Gertsch as disclosing the claimed upper heel assembly, and to base plate 17 of Gertsch as disclosing the claimed lower heel assembly. Office Action dated 3/4/14, p. 2. However, both of these components are associated with toe retainer means 14, as illustrated in FIG. 3.



While toe retainer 14 comprises a sole hold-down member 15, this member is only used to hold down a toe portion of a ski boot, as can be seen in Figure 3 and in the following passage from Gertsch:

Portion 3b forms a foot plate for the *toe ball portion of a ski boot* and it rests on a rest means which is in the form of a strip 12 with good sliding properties disposed on the upper surface of the ski . . . *At the forward end of portion 3b a toe retainer means 14 is fixedly mounted which overlaps the ski boot sole with a sole hold-down member 15.* The toe retainer means 14 is coupled with a lateral release means 15 mounted on a base plate 17 provided on the ski.

Gertsch , col. 6, ll. 5-15 (emphasis added).

Therefore neither sole hold-down member 15 nor any cited component of Gertsch can correspond to the claimed “upper heel housing that is configured to compress a *heel* portion of a ski boot downward.”

Furthermore, the portions of Gertsch that Examiner points to in the Response to Arguments section does not disclose the claimed “upper heel housing.” Column 6, lines 59-68 and column 7, line 1 of Gertsch merely disclose that when control cam 29 disengages from the abutment roller 28,

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the portion 3b with the toe retainer 14 gets free and moves away from the heel retainer 5 in the longitudinal direction of the plate. Through the movement of the toe retainer 14 away from the heel retainer 5 the ski boot is released. None of this disclosure relates to an “upper heel housing that is configured to compress a heel portion of a ski boot downward.”

For at least the reasons set forth above, Applicant submits that claim 1 is patentable over Gertsch. Claims 2-9 depend from claim 1 and incorporates its limitations, and are therefore patentable for at least the same reasons.

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CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant is submitting herewith the required fee for a Request for Continued Examination, as well as the required fee for a one month extension of time, and believes no other fee is due. However, please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 08-0219, under Order No. 2003127.00122US3, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Dated: June 24, 2014

/Donald R Steinberg/
Donald R. Steinberg
Registration No.: 37,241
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

PTO/SB/22 (03-13)

Approved for use through 03/31/2013. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 2003127.00122US3	
Application Number 12/984,293-Conf. #2029		Filed January 4, 2011	
For ALPINE SKI BINDING HEEL UNIT			
Art Unit 3618		Examiner B. D. Avery	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750
<input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. <small>Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</small> <input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-0219 . <input checked="" type="checkbox"/> Payment made via EFS-Web.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration number 37,241 . <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number .			
_____ Signature		_____ Date	
_____ Donald R. Steinberg Typed or printed name		_____ (617) 526-6000 Telephone Number	
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of 1 forms are submitted.			

130143980

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 12/984,293		Filing Date 01/04/2011		<input type="checkbox"/> To be Mailed		
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO										
APPLICATION AS FILED – PART I										
		(Column 1)		(Column 2)						
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A				
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A		N/A		N/A				
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A				
TOTAL CLAIMS (37 CFR 1.16(j))		minus 20 =		*		X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*		X \$ =				
<input type="checkbox"/> 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).								
<input type="checkbox"/> 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										
		(Column 1)		(Column 2)		(Column 3)				
AMENDMENT	06/24/2014		CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		* 14		Minus	** 20	=	X \$ =		
	Independent (37 CFR 1.16(h))		* 1		Minus	*** 3	=	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
	TOTAL ADD'L FEE									
		(Column 1)		(Column 2)		(Column 3)				
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		*		Minus	**	=	X \$ =		
	Independent (37 CFR 1.16(h))		*		Minus	***	=	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
	TOTAL ADD'L FEE									
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>										

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.

LIE
/WANDA ANTHONY/



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/984,293	01/04/2011	Richard J. Howell	2003127.00122US3	2029
23483	7590	03/04/2014		
WILMERHALE/BOSTON 60 STATE STREET BOSTON, MA 02109			EXAMINER AVERY, BRIDGET D.	
			ART UNIT 3618	PAPER NUMBER
			NOTIFICATION DATE 03/04/2014	DELIVERY MODE 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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

Office Action Summary	Application No. 12/984,293	Applicant(s) HOWELL, RICHARD J.	
	Examiner BRIDGET AVERY	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 10/8/13.
☐ 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) 1-14 is/are pending in the application.
5a) Of the above claim(s) 10-14 is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-9 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: ____.

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

Claims 10-14 are withdrawn from consideration as being directed to a non-elected invention.

An action on the merits of claims 1-9 follows.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gertsch (US Patent 4,505,494).

Gertsch teaches a vector decoupling assembly for separating and isolating two or more force vectors (the first being a force from a forward fall and the second being the force from a torsion fall) applied to a safety binding (14) securing a heel portion of a ski boot to a ski (1), including: a lower heel assembly (17) attached to the ski (1); an upper heel assembly (pin 18) coupled to the lower heel assembly and having a lateral release assembly (16) for applying lateral securing pressure (via spring 21) to the ski boot; a linkage element (19) fixedly attached to the lateral release assembly (16); wherein the linkage assembly (19), a first surface defined by slot (26) and a second surface defined by the opening for pin (25) cooperate to limit motion of the lateral release assembly (16) to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski (1). Regarding **claim 2**, the first surface and the second surface are substantially parallel to one another as shown in Figure 1.

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Regarding **claim 3**, the first surface and the second surface cooperate to limit motion of the linkage element (19) to the longitudinal and horizontal plane of the ski (1).

Regarding **claim 4**, the lateral release assembly (16) is maintained in a predetermined neutral position in the absence of force vectors applied to the vector decoupling assembly. Regarding **claim 5**, the lateral release assembly moves in both a first

direction (left) and a second direction (right) with respect to the neutral position as clearly shown in Figure 6. Regarding **claim 6**, the motion of the lateral release

assembly is at least partially rotational based on the movement of the second surface.

Regarding **claim 7**, a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral. Regarding **claims 8 and 9**,

a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear and non-linear in as much as applicant's because the assembly of Gertsch is laterally released during a torsion fall which involves twisting which is linear and non-linear.

Response to Arguments

2. Applicant's arguments filed October 8, 2013 have been fully considered but they are not persuasive.

3. On page 5, applicant argues "The Examiner identifies element 17 of Gertsch as the lower heel assembly of claim 1. Element 17, however, is actually a base plate for a lateral release means associated with the toe ball portion of a ski boot, rather than the heel assembly" and "While Gertsch describes element 16 as a lateral release means, the Gertsch figures and text clearly describe this lateral release means as associated

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with toe retainer means rather than the upper heel assembly...." Contrary to applicant's argument, the lower heel assembly 17 and the lateral release means 16 are both also associated with the heel portion of a ski boot via heel retainer 5, as stated in col. 6, lines 59-68 and col. 7, line 1.

4. Applicant's recitation of a "a lower heel assembly" and "an upper heel assembly" in claim 1 fails to preclude a rejection in view of Gertsch because applicant has failed to define any distinguishing structure. It is further noted that applicant's use of the term "assembly" is extremely broad and merely requires a number of parts associated with a heel.

5. Applicant argues that the linkage assembly (housing 19), the slot (guide 26) and the pin 25 of Gertsch "do not limit motion of the lateral release assembly to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski." The Examiner disagrees because the slot (guide 26) is designed to permit limited play of the pin 25 in the longitudinal direction of the ski. Note the teaching of "the elastic range limit" in col. 7, lines 8-10.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). 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

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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 date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIDGET AVERY whose telephone number is (571)272-6691. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00PM.

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://portal.uspto.gov/external/portal>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Bridget Avery/
Examiner, Art Unit 3618

/J. ALLEN SHRIVER II/

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Supervisory Patent Examiner, Art Unit 3618

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	796	"280"/\$.ccls. and (ski and (heel\$ same release))	USPAT	OR	OFF	2006/10/12 16:51
S2	687	S1 and (lateral\$ or horizontal\$ or vertor\$)	USPAT	OR	OFF	2006/10/12 16:50
S3	1223	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2006/10/12 16:51
S4	455	S3 and (ski and (heel\$ same release))	USPAT	OR	OFF	2006/10/16 10:56
S5	1223	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2006/10/16 10:56
S6	455	S5 and (ski and (heel\$ same release))	USPAT	OR	OFF	2006/10/16 10:56
S7	395	S6 and (lateral or horizontal)	USPAT	OR	OFF	2006/10/16 10:57
S8	334	S6 and lateral	USPAT	OR	OFF	2006/10/16 10:57
S9	177	S6 and (lateral with release)	USPAT	OR	OFF	2006/10/16 10:58
S10	129	S6 and (lateral near4 release)	USPAT	OR	OFF	2006/10/16 10:58
S11	1	("4070034").PN.	USPAT	OR	OFF	2006/12/19 04:08
S12	2	((("4070034") or ("3734522")).PN.	USPAT	OR	OFF	2006/12/19 04:09
S13	0	("skiandheelandlateral").PN.	USPAT	OR	OFF	2007/03/26 17:50
S14	2059	ski and heel and lateral	USPAT	OR	OFF	2007/03/26 17:50
S15	1242	"280"/\$.ccls. and (ski and heel and lateral)	USPAT	OR	OFF	2007/03/26 17:51
S16	1282	"280"/\$.ccls. and (ski and heel and (lateral adj "2" release))	USPAT	OR	OFF	2007/03/26 17:51
S17	166	(280/629).CCLS.	USPAT	OR	OFF	2007/07/09 14:21
S18	115	S17 and release	USPAT	OR	OFF	2007/07/09 14:22
S19	15	S17 and release with horizontal	USPAT	OR	OFF	2007/07/09 14:22
S20	15	S17 and (release with horizontal)	USPAT	OR	OFF	2007/07/09 14:25
S21	6	S20 and heel	USPAT	OR	OFF	2007/07/09 14:25
S22	1293	((280/632) or (280/634) or (280/618) or	USPAT	OR	OFF	2010/09/26

		(280/624) or (280/625) or (280/626) or (280/627)).OCLS.				21:50
S23	476	S22 and (ski and (heel\$ same release))	USPAT	OR	OFF	2010/09/26 21:50
S24	9	("20020101063" "2676813" "3734522" "3773344" "3825273" "3992032" "4052086" "4070034").PN. OR ("7318598").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/09/27 16:16
S25	31	US-2676813-\$.DID. OR US-3606370-\$.DID. OR US-3610650-\$.DID. OR US-3727932-\$.DID. OR US-3865388-\$.DID. OR US-3897076-\$.DID. OR US-3902728-\$.DID. OR US-3905613-\$.DID. OR US-3909029-\$.DID. OR US-3936062-\$.DID. OR US-4065151-\$.DID. OR US-4264088-\$.DID. OR US-4268064-\$.DID. OR US-4286801-\$.DID. OR US-4288094-\$.DID. OR US-4288095-\$.DID. OR US-4294461-\$.DID. OR US-4307898-\$.DID. OR US-4429896-\$.DID. OR US-7225104-\$.DID. OR US-4553772-\$.DID. OR US-4753452-\$.DID. OR US-20020101063-\$.DID. OR US-4070034-\$.DID. OR US-4052086-\$.DID. OR US-3992032-\$.DID. OR US-3825273-\$.DID. OR US-3773344-\$.DID. OR US-3734522-\$.DID.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/09/27 17:11
S26	158	(280/628).OCLS.	USPAT; USOCR	OR	OFF	2010/09/27 17:29
S27	0	("6nots23").PN.	USPAT; USOCR	OR	OFF	2010/09/27 17:30
S28	1293	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).OCLS.	USPAT	OR	OFF	2010/09/27 17:30
S29	476	S28 and (ski and (heel\$ same release))	USPAT	OR	OFF	2010/09/27 17:30
S30	104	S26 not S29	USPAT	OR	OFF	2010/09/27 17:30
S31	158	(280/628).OCLS.	USPAT; USOCR	OR	OFF	2010/09/27 17:34
S35	49	US-2676813-\$.DID. OR US-20020101063-\$.DID. OR US-3578350-\$.DID. OR US-3606370-\$.DID. OR US-3610650-\$.DID. OR US-3620545-\$.DID. OR US-3695625-\$.DID. OR US-3727932-\$.DID. OR US-3734520-\$.DID. OR US-3734522-\$.DID. OR US-3773344-\$.DID. OR US-3825273-\$.DID. OR US-3865388-\$.DID. OR US-3897076-\$.DID. OR US-3902728-\$.DID. OR US-3905613-\$.DID. OR US-3909029-\$.DID. OR US-3936062-\$.DID. OR US-3992032-\$.DID. OR US-7915705-\$.DID. OR US-4052086-\$.DID. OR US-4065151-\$.DID. OR US-4070034-\$.DID. OR US-4111453-\$.DID. OR US-4183549-\$.DID. OR US-4264088-\$.DID. OR US-4266806-\$.DID. OR US-4268064-\$.DID. OR US-4286801-\$.DID. OR US-4288094-\$.DID. OR US-4288095-\$.DID. OR US-4294461-\$.DID. OR US-4307898-\$.DID. OR US-4429896-\$.DID. OR US-4444413-\$.DID.	US-PGPUB; USPAT; USOCR	OR	ON	2011/06/19 13:37

		OR US-4449731-\$.DID. OR US-4451059-\$.DID. OR US-4466634-\$.DID. OR US-4475743-\$.DID. OR US-4489956-\$.DID. OR US-4553772-\$.DID. OR US-4602804-\$.DID. OR US-4625991-\$.DID. OR US-4753452-\$.DID. OR US-4758017-\$.DID. OR US-5160159-\$.DID. OR US-7887084-\$.DID.				
S36	47	("20020101063" "2676813" "3578350" "3606370" "3610650" "3620545" "3695625" "3727932" "3734520" "3734522" "3773344" "3825273" "3865388" "3897076" "3902728" "3905613" "3909029" "3936062" "3992032" "4052086" "4065151" "4070034" "4111453" "4183549" "4264088" "4266806" "4268064" "4286801" "4288094" "4288095" "4294461" "4307898" "4429896" "4444413" "4449731" "4451059" "4466634" "4475743" "4489956" "4553772" "4602804" "4625991" "4753452" "4758017" "5160159").PN. OR ("7887084").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/06/19 13:48
S37	160	("3129951" "3317217" "3325178" "3326567" "3351354" "3366394" "3408087" "3432180" "3473817" "3497230" "3527468" "3529845" "3529846" "3550996" "3554571" "3554572" "3578350" "3580597" "3594015" "3604720" "3606369" "3608918" "3610650" "3620544" "3620545" "3625532" "3675937" "3727935" "3733082" "3734520" "3762735" "3778073" "3820804" "3830510" "3836163" "3876219" "3909023" "3933363" "3937480" "3944237" "3950001" "3989273" "3989274" "4022493" "4033603" "4060257" "4103930" "4111453" "4165883" "4183549" "4188045" "4190264" "4214773" "4307895" "4421341" "4444413" "4489956" "4533155" "4607859" "4624473" "4625991" "4681338" "4773669" "5024457" "RE26670").PN. OR ("3578350" "3620545" "3695625" "3734520" "4111453" "4183549" "4266806" "4444413" "4449731" "4451059" "4466634" "4475743" "4489956" "4602804" "4625991" "4758017" "5160159").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/06/19 14:01
S38	1	"12984293"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/12 13:08
S39	1322	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CLS.	USPAT	OR	OFF	2012/06/12 14:16

S40	367	S39 and ((horizontal or lateral) with release)	USPAT	OR	OFF	2012/06/12 14:16
S41	245	S39 and ((horizontal or lateral) adj6 release)	USPAT	OR	OFF	2012/06/12 14:16
S42	189	S39 and heel and ((horizontal or lateral) adj6 release)	USPAT	OR	OFF	2012/06/12 14:17
S43	2	"20030107352"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/14 11:20
S44	1336	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).OCLS.	USPAT	OR	OFF	2013/03/25 13:08
S45	555	S44 and ((lateral or side) with (pressure or force))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:09
S46	418	S45 and heel	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:09
S47	398	S45 and heel and (boot or footwear)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:10
S48	356	S45 and heel and (boot or footwear) and (release or releasing)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:11
S49	292	S45 and heel and (boot or footwear) and ((side or lateral) same (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:14
S50	241	S45 and heel and (boot or footwear) and ((side or lateral) with (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:14
S51	67	S45 and heel and (boot or footwear) and ((side or lateral) with (release or releasing))	US-PGPUB; USPAT;	OR	ON	2013/03/25 13:22


		with (limit or limited or predetermined))	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S52	6	"12001436"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/02/03 13:53
S53	2	("7887084").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/02/03 13:55
S54	43	"280"/\$.ccls. and (ski and "heel assembly")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/02/06 12:20

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S32	0	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	UPAD	OR	OFF	2010/09/27 17:13
S33	0	(280/628).CCLS.	UPAD	OR	OFF	2010/09/27 17:34
S34	322	280/628	USPAT; UPAD	OR	OFF	2010/09/27 17:35

2/ 10/ 2014 3:29:32 AM

C:\Users\bavery\Documents\EAST\Workspaces\12984293.wsp

Search Notes 	Application/Control No. 12984293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.
	Examiner BRIDGET AVERY	Art Unit 3618

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
280	618, 624, 625, 626, 627, 628, 62, 632, 634	6/6/11	BA
search	updated	6/25/12	BA
search	updated	3/25/13	BA
search	updated	2/5/14	BA

SEARCH NOTES		
Search Notes	Date	Examiner

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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 United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/984,293	01/04/2011	Richard J. Howell	2003127.00122US3	2029

23483	7590	11/08/2013
WILMERHALE/BOSTON		
60 STATE STREET		
BOSTON, MA 02109		

EXAMINER	
AVERY, BRIDGET D	

ART UNIT	PAPER NUMBER
3618	

NOTIFICATION DATE	DELIVERY MODE
11/08/2013	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):

teresa.carvalho@wilmerhale.com
 whipusptopairs@wilmerhale.com

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)	Application No. 12/984,293	Applicant(s) HOWELL, RICHARD J.	
		Art Unit 3600	Date Mailed:

The request for continued examination (RCE) under 37 CFR 1.114 filed on 08 October, 2013 is improper for reason(s) indicated below:

1. ☐ Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
2. ☐ Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
3. ☒ Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
4. ☐ The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
5. ☐ The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
6. ☐ The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
7. ☐ The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date **on or after June 8, 1995** will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

A copy of this Notice MUST be returned with the reply.

Direct any questions concerning this notice to

/SHANDA ROSS/, Technology Center 3600

Telephone Number: (571)272-6621

Docket No.: 2003127.00122US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard J. HOWELL	Confirmation No.:	2029
Application No.:	12/984,293	Art Unit:	3618
Filed:	January 4, 2011	Examiner:	B. D. Avery
Title:	ALPINE SKI BINDING HEEL		

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

REQUEST FOR REFUND

On April 8, 2013, an Office Action issued in the above-referenced application. The cover page designated the Office Action as non-final, while paragraph 3 of the Office stated that it was Final. In an abundance of caution, the Applicant filed an RCE along with the Response filed on October 8, 2013.

On November 8, 2013, Applicant received a Notice of Improper Request for Continued Examination. Since the Examiner has determined that the Office Action was intended to be non-final, Applicant hereby requests a refund for the RCE charge incurred on October 9, 2013 in the amount of \$850.00 in the above-referenced application.

Respectfully submitted,

Dated: November 26, 2013

/Ronald R. Demsher/
Ronald R. Demsher
Registration No.: 42,478
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

Electronic Acknowledgement Receipt

EFS ID:	17503126
Application Number:	12984293
International Application Number:	
Confirmation Number:	2029
Title of Invention:	ALPINE SKI BINDING HEEL UNIT
First Named Inventor/Applicant Name:	Richard J. Howell
Customer Number:	23483
Filer:	Ronald R. Demsher./C. Bates
Filer Authorized By:	Ronald R. Demsher.
Attorney Docket Number:	2003127.00122US3
Receipt Date:	26-NOV-2013
Filing Date:	04-JAN-2011
Time Stamp:	10:41:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	122US3_Notice_of_Improper_RCE.PDF	81599 2d123b35d19e045ab7ae065ef90e1223fe96e06f	no	2

Warnings:**Information:**

2	Refund Request	122US3_Request_for_Refund. PDF	77482 ccfbd7260d3596aed9fc338a07abe924f8bb a121	no	1
Warnings:					
Information:					
Total Files Size (in bytes):					159081
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/984,293	01/04/2011	Richard J. Howell	2003127.00122US3	2029

23483	7590	11/08/2013
WILMERHALE/BOSTON		
60 STATE STREET		
BOSTON, MA 02109		

EXAMINER	
AVERY, BRIDGET D	

ART UNIT	PAPER NUMBER
3618	

NOTIFICATION DATE	DELIVERY MODE
11/08/2013	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):

teresa.carvalho@wilmerhale.com
 whipusptopairs@wilmerhale.com

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)	Application No. 12/984,293	Applicant(s) HOWELL, RICHARD J.	
		Art Unit 3600	Date Mailed:

The request for continued examination (RCE) under 37 CFR 1.114 filed on 08 October, 2013 is improper for reason(s) indicated below:

1. ☐ Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
2. ☐ Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
3. ☒ Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
4. ☐ The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
5. ☐ The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
6. ☐ The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
7. ☐ The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date **on or after June 8, 1995** will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

A copy of this Notice MUST be returned with the reply.

Direct any questions concerning this notice to

/SHANDA ROSS/, Technology Center 3600

Telephone Number: (571)272-6621

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL **(Submitted Only via EFS-Web)**

Application Number	12984293	Filing Date	2011-01-04	Docket Number (if applicable)	2003127.00122US3	Art Unit	3618
First Named Inventor	Richard J. HOWELL			Examiner Name	B. D. Avery		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other _____

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☒ Other Extension of Time

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____.
 (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to
 Deposit Account No 080219

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/Ronald R. Demsher/	Date (YYYY-MM-DD)	2013-10-07
Name	Ronald R. Demsher	Registration Number	42478

This collection of information is required by 37 CFR 1.114. 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 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.

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

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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 the Freedom of Information Act requires disclosure of these records.
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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.
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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 inspections 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.

Docket No.: 2003127.00122US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard J. HOWELL	Confirmation No.:	2029
Application No.:	12/984,293	Art Unit:	3618
Filed:	January 4, 2011	Examiner:	B. D. Avery
Title:	ALPINE SKI BINDING HEEL UNIT		

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

RESPONSE AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

Dear Madam:

INTRODUCTORY COMMENTS

In response to the Office Action dated April 8, 2013, finally rejecting claims 1-9, please reconsider the above-identified U.S. patent application in light of the following remarks:

The pending claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Application No. 12/984,293
Reply to Office Action of April 8, 2013

Docket No.: 2003127.00122US3

AMENDMENTS TO THE CLAIMS

1. (Previously presented) A vector decoupling assembly for separating and isolating two or more force vectors applied to a safety binding securing a heel portion of a ski boot to a ski, comprising:
 - a lower heel assembly attached to the ski;
 - an upper heel assembly coupled to the lower heel assembly and having a lateral release assembly for applying lateral securing pressure to the ski boot;
 - a linkage element fixedly attached to the lateral release assembly;wherein the linkage element, a first surface and a second surface cooperate to limit motion of the lateral release assembly to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski.
2. (Previously presented) The vector decoupling assembly of claim 1, wherein the first surface and the second surface are substantially parallel to one another.
3. (Previously presented) The vector decoupling assembly of claim 1, wherein the first surface and the second surface cooperate to limit motion of the linkage element to the longitudinal and horizontal plane of the ski.
4. (Previously presented) The vector decoupling assembly of claim 1, wherein the lateral release assembly is maintained in a predetermined neutral position in the absence of force vectors applied to the vector decoupling assembly.
5. (Previously presented) The vector decoupling assembly of claim 4, wherein the lateral release assembly moves in both a first direction and a second direction with respect to the neutral position.
6. (Previously presented) The vector decoupling assembly of claim 5, wherein the motion of the lateral release assembly is at least partially rotational.

Application No. 12/984,293
Reply to Office Action of April 8, 2013

Docket No.: 2003127.00122US3

7. (Previously presented) The vector decoupling assembly of claim 5, wherein a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral position.

8. (Previously presented) The vector decoupling assembly of claim 7, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear.

9. (Previously presented) The vector decoupling assembly of claim 7, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is non-linear.

10. (Withdrawn) The vector decoupling assembly of claim 4, wherein the lateral release assembly moves only in a first direction with respect to the neutral position.

11. (Withdrawn) The vector decoupling assembly of claim 10, wherein the motion of the lateral release assembly is at least partially rotational.

12. (Withdrawn) The vector decoupling assembly of claim 10, wherein a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral position.

13. (Withdrawn) The vector decoupling assembly of claim 12, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear.

14. (Withdrawn) The vector decoupling assembly of claim 12, wherein a relationship between a

Application No. 12/984,293
Reply to Office Action of April 8, 2013

Docket No.: 2003127.00122US3

position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is non-linear.

Application No. 12/984,293
Reply to Office Action of April 8, 2013

Docket No.: 2003127.00122US3

REMARKS

This paper is responsive to the non-final Office Action dated April 8, 2013. By this paper, none of the pending claims have been amended.

The Office Action Summary shows this Office Action to be non-final, and the Applicant believes this to be correct. At paragraph 3 of the Office Action, however, the Examiner states that this Office Action is final. In an abundance of caution, the Applicant has filed an RCE along with this response. If the Examiner determines that the Office Action is truly non-final, the Applicant withdraws the RCE and requests a refund.

Claim Rejections - 35 USC § 102

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gertsch (US Patent 4,505,494). Applicant traverses these rejections for at least the following reasons.

The Examiner identifies element 17 of Gertsch as the lower heel assembly of claim 1. Element 17, however, is actually a base plate for a lateral release means associated with the toe ball portion of a ski boot, rather than the heel assembly:

“Portion 3b forms a foot plate for the toe ball portion of a ski boot and it rests on a rest means which is in the form of a strip 12 with good sliding properties disposed on the upper surface of the ski. The foot plate carries on its upper surface a transversely extending support rail 13 for supporting the ski boot sole. At the forward end of portion 3b a toe retainer means 14 is fixedly mounted which overlaps the ski boot sole with a sole hold-down member 15. The toe retainer means 14 is coupled with a lateral release means 16 mounted on a base plate 17 provided on the ski.” Gertsch col. 6 lines 5-15 (emphasis added).

The elements of Gertsch to which the Examiner refers for remaining claim elements relate to the toe portion of the ski boot rather than the heel portion as recited in the claims.

The Examiner identifies element 15 as the upper heel assembly of claim 1. Element 15, however, is a “sole hold-down member” associated with the toe retainer means, rather than an upper heel assembly:

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Docket No.: 2003127.00122US3

“At the forward end of portion 3b a toe retainer means 14 is fixedly mounted which overlaps the ski boot sole with a sole hold-down member 15.” Gertsch col. 6 lines 10-13 (emphasis added).

Regarding the claim 1 limitation of “an upper heel assembly . . . having a lateral release assembly for applying lateral securing pressure to the ski boot”, the Examiner identifies Gertsch element 16 as the “lateral release assembly.” While Gertsch describes element 16 as a “lateral release means,” the Gertsch figures and text clearly describe this lateral release means as associated with the “toe retainer means” rather than the upper heel assembly as recited in the claims:

“Portion 3b forms a foot plate for the toe ball portion of a ski boot and it rests on a rest means which is in the form of a strip 12 with good sliding properties disposed on the upper surface of the ski. The foot plate carries on its upper surface a transversely extending support rail 13 for supporting the ski boot sole. At the forward end of portion 3b a toe retainer means 14 is fixedly mounted which overlaps the ski boot sole with a sole hold-down member 15. The toe retainer means 14 is coupled with a lateral release means 16 mounted on a base plate 17 provided on the ski.” Gertsch col. 6 lines 5-15 (emphasis added).

The Examiner identifies element 19 of Gertsch as the linkage element of claim 1. Element 19, however, is a housing containing a piston. Claim 1 further requires “the linkage element, a first surface and a second surface cooperate to limit motion of the lateral release assembly.” For this limitation, the Examiner identifies alleged cooperation of “the linkage assembly (16), a first surface defined by slot (26) and a second surface defined by the opening for pin (25).” According to claim 1, the first of these three cooperating elements is the linkage element, which the Examiner previously identified as Gertsch element 19, not 16. Assuming the Examiner meant for the first element to be 19 rather than 16, these three elements of Gertsch do not limit motion of the lateral release assembly to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski, as required by claim 1. Further, as described above, these three elements of Gertsch are part of a toe retention assembly rather than a heel assembly. Claim 1 requires the linkage element to be fixedly attached to the lateral release assembly, which is part of the upper heel assembly.

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Reply to Office Action of April 8, 2013

Docket No.: 2003127.00122US3

For at least the reasons set forth above, claim 1 should be allowable. Since claims 2-9 depend from allowable claim 1, those claims should also be allowable. Accordingly, Applicant believes the pending application is in condition for allowance.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 08-0219, under Order No. 2003127.00122US3, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Dated: October 8, 2013

/Ronald R. Demsher/
Ronald R. Demsher
Registration No.: 42,478
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

PTO/AIA/22 (03-13)

Approved for use through 03/31/2013. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 2003127.00122US3	
Application Number 12/984,293-Conf. #2029		Filed January 4, 2011	
For ALPINE SKI BINDING HEEL UNIT			
Art Unit 3618		Examiner B. D. Avery	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3000	\$1,500	\$750
<input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-0219 . <input checked="" type="checkbox"/> Payment made via EFS-Web.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant. <input checked="" type="checkbox"/> attorney or agent of record. Registration Number 42,478 . <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number .			
/Ronald R. Demsher/ Signature		October 8, 2013 Date	
Ronald R. Demsher Typed or printed name		(617) 526-6000 Telephone Number	
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of 1 forms are submitted.			

Electronic Patent Application Fee Transmittal				
Application Number:		12984293		
Filing Date:		04-Jan-2011		
Title of Invention:		ALPINE SKI BINDING HEEL UNIT		
First Named Inventor/Applicant Name:		Richard J. Howell		
Filer:		Ronald R. Demsher./C. Bates		
Attorney Docket Number:		2003127.00122US3		
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:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	2253	1	700	700

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
RCE - 2nd and Subsequent Request	2820	1	850	850
Total in USD (\$)				1550

Electronic Acknowledgement Receipt

EFS ID:	17065752
Application Number:	12984293
International Application Number:	
Confirmation Number:	2029
Title of Invention:	ALPINE SKI BINDING HEEL UNIT
First Named Inventor/Applicant Name:	Richard J. Howell
Customer Number:	23483
Filer:	Ronald R. Demsher./C. Bates
Filer Authorized By:	Ronald R. Demsher.
Attorney Docket Number:	2003127.00122US3
Receipt Date:	08-OCT-2013
Filing Date:	04-JAN-2011
Time Stamp:	14:04:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1550
RAM confirmation Number	373
Deposit Account	080219
Authorized User	DEMSHER, RONALD R
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

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Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	122US3_RCE.PDF	697746	no	3
			81a46468083bd3dccc98de08ebef7c31893c454b2		
Warnings:					
Information:					
2		122US3_Response_8Oct2013_2.PDF	111022	yes	7
			49f3bfbd3b2abb557dac621f2741d962419d4948		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Response After Final Action		1	1	
	Claims		2	4	
	Applicant Arguments/Remarks Made in an Amendment		5	7	
Warnings:					
Information:					
3	Extension of Time	122US3_EOT.PDF	1623643	no	1
			3e180e43e5d3eb110443aeb2c66db9a228ab7f53		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	31929	no	2
			2049931bb6e4989ad290b17ca72da6589875108d		
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Total Files Size (in bytes):			2464340		

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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.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 12/984,293		Filing Date 01/04/2011		<input type="checkbox"/> To be Mailed			
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO											
APPLICATION AS FILED – PART I											
		(Column 1)		(Column 2)							
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)			
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A					
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A		N/A		N/A					
<input type="checkbox"/> 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 \$ =					
<input type="checkbox"/> 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).									
<input type="checkbox"/> 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											
		(Column 1)		(Column 2)		(Column 3)					
AMENDMENT	10/08/2013		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA				
	Total (37 CFR 1.16(i))		* 14		Minus ** 20		= 0		X \$40 = 0		
	Independent (37 CFR 1.16(h))		* 1		Minus *** 3		= 0		X \$210 = 0		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
	TOTAL ADD'L FEE									0	
		(Column 1)		(Column 2)		(Column 3)					
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		
	Total (37 CFR 1.16(i))		*		Minus **		=		X \$ =		
	Independent (37 CFR 1.16(h))		*		Minus ***		=		X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
	TOTAL ADD'L FEE										
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>											

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.



WILMERHALE

May 8, 2013

Ronald R. Demsher

+1 617 526 6105 (t)
+1 617 526 5000 (f)
ronald.demsher@wilmerhale.com

Ms. Bridget Avery
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: United States Patent App. 12/984,293

Dear Ms. Avery:

I am the attorney of record for the above-referenced application (the "Application"). On March 17, 2013 and May 1, 2013, you received email communications from one of the inventors, Richard J. Howell. I write to clarify and correct Mr. Howell's misstatements regarding the Application and issued U.S. Patent Nos. 7,318,598 and 7,887,084 (the Patents").

First, the Patents and Application referenced by Mr. Howell were assigned by Mr. Howell to KneeBinding, Inc. ("KneeBinding") in 2006 and 2008. The assignments are on file with the U.S. Patent and Trademark Office.

Second, contrary to Mr. Howell's assertions, he has no continuing interest - financial or otherwise - in the Application or the Patents. Mr. Howell assigned all right, title, and interest in the Patents and the Application to KneeBinding. WilmerHale's representation of KneeBinding before the U.S. Patent and Trademark Office does not create a "conflict of interest" with Mr. Howell.

Third, WilmerHale is not "acting adversely against [Mr. Howell] in real-time litigation." WilmerHale is not presently nor has it been in the past a party to any lawsuit or proceeding adverse to Mr. Howell, nor is WilmerHale representing any client in litigation adverse to the interests of Mr. Howell.

Fourth, despite the suggestion by Mr. Howell to the contrary, the Application is allowable. The U.S. Patent and Trademark Office should proceed with its examination without regard to any statements made by Mr. Howell.

Wilmer Cutler Pickering Hale and Dorr LLP, 60 State Street, Boston, Massachusetts 02109

Beijing Berlin Boston Brussels Frankfurt London Los Angeles New York Oxford Palo Alto Waltham Washington

WILMERHALE

Ms. Bridget Avery
May 8, 2013
Page 2

Finally, WilmerHale's work in connection with the Application is on behalf of KneeBinding, not Mr. Howell. WilmerHale does not represent Mr. Howell.

I am happy to discuss any aspect of the Application or Mr. Howell's communications with you at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read 'RRD', followed by a stylized flourish.

Ronald R. Demsher

RRD:nmo



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.
12/984,293	01/04/2011	Richard J. Howell	2003127.00122US3	2029
23483	7590	04/08/2013		
WILMERHALE/BOSTON			EXAMINER	
60 STATE STREET			AVERY, BRIDGET D.	
BOSTON, MA 02109			ART UNIT	PAPER NUMBER
			3618	
			NOTIFICATION DATE	DELIVERY MODE
			04/08/2013	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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

Office Action Summary	Application No.		Applicant(s)		
	12/984,293		HOWELL, RICHARD J.		
	Examiner		Art Unit		
BRIDGET AVERY		3618			

-- 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 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 09 January 2013.

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) 1-14 is/are pending in the application.

5a) Of the above claim(s) 10-14 is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-9 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).

a) ☐ All b) ☐ Some * c) ☐ None of:

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/08)
Paper No(s)/Mail Date ____.

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

4) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gertsch (US Patent 4,505,494).

Gertsch teaches a vector decoupling assembly for separating and isolating two or more force vectors (the first being a force from a forward fall and the second being the force from a torsion fall) applied to a safety binding (14) securing a heel portion of a ski boot to a ski (1), including: a lower heel assembly (17) attached to the ski (1); an upper heel assembly (pin 15) coupled to the lower heel assembly and having a lateral release assembly (16) for applying lateral securing pressure (via spring 21) to the ski boot; a linkage element (19) fixedly attached to the lateral release assembly (16); wherein the linkage assembly (16), a first surface defined by slot (26) and a second surface defined by the opening for pin (25) cooperate to limit motion of the lateral release assembly (16) to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski (1). Regarding **claim 2**, the first surface and the second surface are substantially parallel to one another as shown in Figure 1. Regarding **claim 3**, the first surface and the second surface cooperate to limit motion of the linkage element (19) to the longitudinal and horizontal plane of the ski (1). Regarding **claim 4**, the lateral release assembly (16) is maintained in a predetermined neutral position in the absence of force vectors applied to the vector decoupling assembly. Regarding **claim 5**, the lateral release assembly moves in both a first

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direction (left) and a second direction (right) with respect to the neutral position as clearly shown in Figure 6. Regarding **claim 6**, the motion of the lateral release assembly is at least partially rotational based on the movement of the second surface. Regarding **claim 7**, a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral. Regarding **claims 8 and 9**, a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear and non-linear in as much as applicant's because the assembly of Gertsch is laterally released during a torsion fall which involves twisting which is linear and non-linear.

Response to Arguments

2. Applicant's arguments with respect to claim 1 has been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). 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

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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 date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIDGET AVERY whose telephone number is (571)272-6691. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00PM.

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://portal.uspto.gov/external/portal>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Bridget Avery/
Examiner, Art Unit 3618

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

Notice of References Cited	Application/Control No. 12/984,293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.	
	Examiner BRIDGET AVERY	Art Unit 3618	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-3,992,032 A	11-1976	Swenson, Glen R.	280/632
*	B	US-4,505,494 A	03-1985	Gertsch, Ulrich	280/618
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			


FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes 	Application/Control No. 12984293	Applicant(s)/Patent Under Reexamination HOWELL, RICHARD J.
	Examiner BRIDGET AVERY	Art Unit 3618

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
280	618, 624, 625, 626, 627, 628, 62, 632, 634	6/6/11	BA
search	updated	6/25/12	BA
search	updated	3/25/13	BA

SEARCH NOTES		
Search Notes	Date	Examiner

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1336	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2013/03/25 13:08
L2	555	1 and ((lateral or side) with (pressure or force))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:09
L3	418	2 and heel	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:09
L4	398	2 and heel and (boot or footwear)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:10
L5	356	2 and heel and (boot or footwear) and (release or releasing)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:11
L6	292	2 and heel and (boot or footwear) and ((side or lateral) same (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:14
L7	241	2 and heel and (boot or footwear) and ((side or lateral) with (release or releasing))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/25 13:14
L8	67	2 and heel and (boot or footwear) and ((side or lateral) with (release or releasing) with (limit or limited or predetermined))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2013/03/25 13:22

			DERWENT; IBM_TDB			
S1	796	"280"/\$.ccls. and (ski and (heel\$ same release))	USPAT	OR	OFF	2006/10/12 16:51
S2	687	S1 and (lateral\$ or horizontal\$ or vertor\$)	USPAT	OR	OFF	2006/10/12 16:50
S3	1223	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2006/10/12 16:51
S4	455	S3 and (ski and (heel\$ same release))	USPAT	OR	OFF	2006/10/16 10:56
S5	1223	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2006/10/16 10:56
S6	455	S5 and (ski and (heel\$ same release))	USPAT	OR	OFF	2006/10/16 10:56
S7	395	S6 and (lateral or horizontal)	USPAT	OR	OFF	2006/10/16 10:57
S8	334	S6 and lateral	USPAT	OR	OFF	2006/10/16 10:57
S9	177	S6 and (lateral with release)	USPAT	OR	OFF	2006/10/16 10:58
S10	129	S6 and (lateral near4 release)	USPAT	OR	OFF	2006/10/16 10:58
S11	1	("4070034").PN.	USPAT	OR	OFF	2006/12/19 04:08
S12	2	((("4070034") or ("3734522"))).PN.	USPAT	OR	OFF	2006/12/19 04:09
S13	0	("skiandheelandlateral").PN.	USPAT	OR	OFF	2007/03/26 17:50
S14	2059	ski and heel and lateral	USPAT	OR	OFF	2007/03/26 17:50
S15	1242	"280"/\$.ccls. and (ski and heel and lateral)	USPAT	OR	OFF	2007/03/26 17:51
S16	1282	"280"/\$.ccls. and (ski and heel and (lateral adj "2" release))	USPAT	OR	OFF	2007/03/26 17:51
S17	166	(280/629).CCLS.	USPAT	OR	OFF	2007/07/09 14:21
S18	115	S17 and release	USPAT	OR	OFF	2007/07/09 14:22
S19	15	S17 and release with horizontal	USPAT	OR	OFF	2007/07/09 14:22
S20	15	S17 and (release with horizontal)	USPAT	OR	OFF	2007/07/09 14:25
S21	6	S20 and heel	USPAT	OR	OFF	2007/07/09 14:25
S22	1293	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2010/09/26 21:50
S23	476	S22 and (ski and (heel\$ same release))	USPAT	OR	OFF	2010/09/26 21:50
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S25	31	US-2676813-\$.DID. OR US-3606370-\$.DID. OR US-3610650-\$.DID. OR US-3727932-\$.DID. OR US-3865388-\$.DID. OR US-3897076-\$.DID. OR US-3902728-\$.DID. OR US-3905613-\$.DID. OR US-3909029-\$.DID. OR US-3936062-\$.DID. OR US-4065151-\$.DID. OR US-4264088-\$.DID. OR US-4268064-\$.DID. OR US-4286801-\$.DID. OR US-4288094-\$.DID. OR US-4288095-\$.DID. OR US-4294461-\$.DID. OR US-4307898-\$.DID. OR US-4429896-\$.DID. OR US-7225104-\$.DID. OR US-4553772-\$.DID. OR US-4753452-\$.DID. OR US-20020101063-\$.DID. OR US-4070034-\$.DID. OR US-4052086-\$.DID. OR US-3992032-\$.DID. OR US-3825273-\$.DID. OR US-3773344-\$.DID. OR US-3734522-\$.DID.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/09/27 17:11
S26	158	(280/628).OCLS.	USPAT; USOCR	OR	OFF	2010/09/27 17:29
S27	0	("6nots23").PN.	USPAT; USOCR	OR	OFF	2010/09/27 17:30
S28	1293	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).OCLS.	USPAT	OR	OFF	2010/09/27 17:30
S29	476	S28 and (ski and (heel\$ same release))	USPAT	OR	OFF	2010/09/27 17:30
S30	104	S26 not S29	USPAT	OR	OFF	2010/09/27 17:30
S31	158	(280/628).OCLS.	USPAT; USOCR	OR	OFF	2010/09/27 17:34
S35	49	US-2676813-\$.DID. OR US-20020101063-\$.DID. OR US-3578350-\$.DID. OR US-3606370-\$.DID. OR US-3610650-\$.DID. OR US-3620545-\$.DID. OR US-3695625-\$.DID. OR US-3727932-\$.DID. OR US-3734520-\$.DID. OR US-3734522-\$.DID. OR US-3773344-\$.DID. OR US-3825273-\$.DID. OR US-3865388-\$.DID. OR US-3897076-\$.DID. OR US-3902728-\$.DID. OR US-3905613-\$.DID. OR US-3909029-\$.DID. OR US-3936062-\$.DID. OR US-3992032-\$.DID. OR US-7915705-\$.DID. OR US-4052086-\$.DID. OR US-4065151-\$.DID. OR US-4070034-\$.DID. OR US-4111453-\$.DID. OR US-4183549-\$.DID. OR US-4264088-\$.DID. OR US-4266806-\$.DID. OR US-4268064-\$.DID. OR US-4286801-\$.DID. OR US-4288094-\$.DID. OR US-4288095-\$.DID. OR US-4294461-\$.DID. OR US-4307898-\$.DID. OR US-4429896-\$.DID. OR US-4444413-\$.DID. OR US-4449731-\$.DID. OR US-4451059-\$.DID. OR US-4466634-\$.DID. OR US-4475743-\$.DID. OR US-4489956-\$.DID. OR US-4553772-\$.DID. OR US-4602804-\$.DID. OR US-4625991-\$.DID. OR US-4753452-\$.DID. OR US-4758017-\$.DID. OR US-5160159-\$.DID. OR US-7887084-\$.DID.	US-PGPUB; USPAT; USOCR	OR	ON	2011/06/19 13:37
S36	47	("20020101063" "2676813" "3578350"	US-PGPUB;	OR	ON	2011/06/19

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S38	1	"12984293"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/12 13:08
S39	1322	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	USPAT	OR	OFF	2012/06/12 14:16
S40	367	S39 and ((horizontal or lateral) with release)	USPAT	OR	OFF	2012/06/12 14:16
S41	245	S39 and ((horizontal or lateral) adj6 release)	USPAT	OR	OFF	2012/06/12 14:16
S42	189	S39 and heel and ((horizontal or lateral) adj6 release)	USPAT	OR	OFF	2012/06/12 14:17
S43	2	"20030107352"	US-PGPUB; USPAT; USOCR;	OR	ON	2012/06/14 11:20

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
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EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S32	0	((280/632) or (280/634) or (280/618) or (280/624) or (280/625) or (280/626) or (280/627)).CCLS.	UPAD	OR	OFF	2010/09/27 17:13
S33	0	(280/628).CCLS.	UPAD	OR	OFF	2010/09/27 17:34
S34	322	280/628	USPAT; UPAD	OR	OFF	2010/09/27 17:35

3/ 25/ 2013 1:58:23 PM**C:\Users\bavery\Documents\EAST\Workspaces\12984293.wsp**



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 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/984,293	01/04/2011	3618	527	2003127.00122US3	1	1

CONFIRMATION NO. 2029

CORRECTED FILING RECEIPT



OC000000059097577

23483
 WILMERHALE/BOSTON
 60 STATE STREET
 BOSTON, MA 02109

Date Mailed: 02/08/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Richard J. Howell, Stowe, VT;

Applicant(s)

Richard J. Howell, Stowe, VT;

Assignment For Published Patent Application

Kneebinding, Inc., Stowe, VT

Power of Attorney: The patent practitioners associated with Customer Number 23483

Domestic Priority data as claimed by applicant

This application is a CON of 12/001,436 12/11/2007 PAT 7887084
 which is a DIV of 10/780,455 02/17/2004 PAT 7318598
 which claims benefit of 60/448,645 02/18/2003

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 01/14/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/984,293**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

ALPINE SKI BINDING HEEL UNIT

Preliminary Class

280

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.

Docket No.: 2003127.00122US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard J. HOWELL	Confirmation No.:	2029
Application No.:	12/984,293	Art Unit:	3618
Filed:	January 4, 2011	Examiner:	B. D. Avery
Title:	ALPINE SKI BINDING HEEL UNIT		

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

REQUEST FOR CORRECTED FILING RECEIPT

Dear Commissioner:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, an annotated copy of which is attached hereto, has an omission in the title. Please correct the title to read:

Alpine Ski Binding Heel Unit

Applicant herewith submits a Supplemental Application Data Sheet correcting the title.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Application No.: 12/984,293

Docket No.: 2003127.00122US3

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 2003127.00122US3 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: January 29, 2013

/Ronald R. Demsher/

Ronald R. Demsher

Registration No.: 42,478

Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, Massachusetts 02109

(617) 526-6000 (telephone)

(617) 526-5000 (facsimile)

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL. FEE REC'D	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
12/984,293	01/04/2011	3618	527	2003127.00122US3	1	1

CONFIRMATION NO. 2029

UPDATED FILING RECEIPT



OC00000004/418871

23483
 WILMERHALE/BOSTON
 60 STATE STREET
 BOSTON, MA 02109

Date Mailed: 05/04/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Richard J. Howell, Stowe, VT;

Assignment For Published Patent Application

Kneebinding, Inc., Stowe, VT

Power of Attorney: The patent practitioners associated with Customer Number 23483

Domestic Priority data as claimed by applicant

This application is a CON of 12/001,436 12/11/2007 PAT 7,887,084
 which is a DIV of 10/780,455 02/17/2004 PAT 7,318,598
 which claims benefit of 60/448,645 02/18/2003

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 01/14/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/984,293**

Projected Publication Date: 08/11/2011

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

COPY

Title

ALPINE SKI BINDING HEEL UNIT

Preliminary Class

280

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

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set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Supplemental Application Data Sheet

Application Information

Application number::	<u>12/984,293</u>
Filing Date::	<u>01/04/11</u>
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	3618
CD-ROM or CD-R?::	None
Number of CD disks::	
Number of copies of CDs::	
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Number of copies of CRF::	
Title::	ALPINE SKI BINDING HEEL <u>ALPINE SKI BINDING HEEL UNIT</u>
Attorney Docket Number::	2003127.00122US3
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	4
Small Entity?::	Yes
Petition included?::	No

Petition Type::

Licensed US Govt. Agency::

Contract or Grant Numbers::

Secrecy Order in Parent Appl.?:: No

Applicant Information

Applicant Authority Type:: Inventor

Primary Citizenship Country:: US

Status:: Full Capacity

Given Name:: Richard

Middle Name:: J.

Family Name:: HOWELL

Name Suffix::

City of Residence:: Stowe

State or Province of Residence:: VT

Country of Residence:: US

Street of mailing address:: 782 South Main Street

City of mailing address:: Stowe

State or Province of mailing address:: VT

Country of mailing address::

Postal or Zip Code of mailing address:: 05672

Correspondence Information

Correspondence Customer Number:: 23483

Representative Information

Representative Customer Number:: 23483

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation of	12/001436	12/11/07
12/001436	Division of	10/780455	02/17/04
10/780455	An application claiming the benefit under 35 USC 119(e)	60/448645	02/18/03

Foreign Priority Information**Assignee Information**

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	/Ronald R. Demsher/	Date	January 29, 2013
Name (Print/Type)	Ronald R. Demsher	Registration No. (Attorney/Agent)	42,478

Electronic Acknowledgement Receipt

EFS ID:	14820249
Application Number:	12984293
International Application Number:	
Confirmation Number:	2029
Title of Invention:	ALPINE SKI BINDING HEEL
First Named Inventor/Applicant Name:	Richard J. Howell
Customer Number:	23483
Filer:	Ronald R. Demsher./Becky Douglas
Filer Authorized By:	Ronald R. Demsher.
Attorney Docket Number:	2003127.00122US3
Receipt Date:	29-JAN-2013
Filing Date:	04-JAN-2011
Time Stamp:	15:51:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Corrected Filing Receipt	2013_01_29_122US3_Request_CorrFR_USSN_12_984293.PDF	79143 76e1cafe0287b89202791ebabe2ebc63f876a172	no	2

Warnings:**Information:**

2	Request for Corrected Filing Receipt	2013_01_29_122US3_Annotated_FR_USSN_12_984293.PDF	3403484 f71b3e63ecd3a32171611b59805ec9142f8da65	no	3
Warnings:					
Information:					
3	Application Data Sheet	2013_01_29_122US3_SupplementalADS_USSN_12_984293.PDF	60914 4b17841b2fcd0be62698a377dbbf83c800518eb1c	no	4
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
Total Files Size (in bytes):			3543541		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL **(Submitted Only via EFS-Web)**

Application Number	12984293	Filing Date	2011-01-04	Docket Number (if applicable)	2003127.00122US3	Art Unit	3618
First Named Inventor	Richard J. HOWELL			Examiner Name	B. D. Avery		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other _____

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☒ Other _____
 Petition for Three Month Extension of Time

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
 (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to
 Deposit Account No 080219

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/Ronald R. Demsher/	Date (YYYY-MM-DD)	2013-01-09
Name	Ronald R. Demsher	Registration Number	42478

This collection of information is required by 37 CFR 1.114. 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 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.

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 the Freedom of Information Act requires disclosure of these records.
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 inspections 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/22 (10-12)

Approved for use through 01/31/2013. OMB 0651-0031

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.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 2003127.00122US3	
Application Number 12/984,293-Conf. #2029		Filed January 4, 2011	
For ALPINE SKI BINDING HEEL			
Art Unit 3618		Examiner B. D. Avery	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	<u>Fee</u> \$150	<u>Small Entity Fee</u> \$75
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$570	\$285
<input checked="" type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1,290	\$645
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$2,010	\$1,005
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2,730	\$1,365
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-0219 . <input checked="" type="checkbox"/> Payment made via EFS-Web.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number 42,478 . <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number .			
_____ /Ronald R. Demsher/ Signature		_____ January 9, 2013 Date	
_____ Ronald R. Demsher Typed or printed name		_____ (617) 526-6000 Telephone Number	
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of 1 forms are submitted.			

104584559

Docket No.: 2003127.00122US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard J. HOWELL	Confirmation No.:	2029
Application No.:	12/984,293	Art Unit:	3618
Filed:	January 4, 2011	Examiner:	B. D. Avery
Title:	ALPINE SKI BINDING HEEL		

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

REQUEST FOR CONTINUED EXAMINATION PURSUANT TO 37 C.F.R. 1.114 AND
AMENDMENT

Dear Madam:

INTRODUCTORY COMMENTS

In response to the Final Office Action dated July 9, 2012, finally rejecting claims 1-9. Applicant respectfully request entry of this Amendment that accompanies a Request for Continued Examination with a three-month extension of time attached herewith. Please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Application No. 12/984,293
Amendment dated January 9, 2013
After Final Office Action of July 9, 2012

Docket No.: 2003127.00122US3

AMENDMENTS TO THE CLAIMS

1. (Previously presented) A vector decoupling assembly for separating and isolating two or more force vectors applied to a safety binding securing a heel portion of a ski boot to a ski, comprising:
 - a lower heel assembly attached to the ski;
 - an upper heel assembly coupled to the lower heel assembly and having a lateral release assembly for applying lateral securing pressure to the ski boot;
 - a linkage element fixedly attached to the lateral release assembly;wherein the linkage element, a first surface and a second surface cooperate to limit motion of the lateral release assembly to within a predetermined region within a plane defined by the longitudinal and horizontal axes of the ski.
2. (Previously presented) The vector decoupling assembly of claim 1, wherein the first surface and the second surface are substantially parallel to one another.
3. (Previously presented) The vector decoupling assembly of claim 1, wherein the first surface and the second surface cooperate to limit motion of the linkage element to the longitudinal and horizontal plane of the ski.
4. (Currently amended) The vector decoupling assembly of claim 1, wherein the lateral release assembly is maintained in a predetermined neutral position in the absence ~~the~~of force vectors applied to the vector decoupling assembly.
5. (Previously presented) The vector decoupling assembly of claim 4, wherein the lateral release assembly moves in both a first direction and a second direction with respect to the neutral position.
6. (Previously presented) The vector decoupling assembly of claim 5, wherein the motion of

Application No. 12/984,293
Amendment dated January 9, 2013
After Final Office Action of July 9, 2012

Docket No.: 2003127.00122US3

the lateral release assembly is at least partially rotational.

7. (Previously presented) The vector decoupling assembly of claim 5, wherein a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral position.

8. (Previously presented) The vector decoupling assembly of claim 7, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear.

9. (Previously presented) The vector decoupling assembly of claim 7, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is non-linear.

10. (Withdrawn) The vector decoupling assembly of claim 4, wherein the lateral release assembly moves only in a first direction with respect to the neutral position.

11. (Withdrawn) The vector decoupling assembly of claim 10, wherein the motion of the lateral release assembly is at least partially rotational.

12. (Withdrawn) The vector decoupling assembly of claim 10, wherein a force required to move the lateral release assembly increases as the lateral release assembly moves away from the neutral position.

13. (Withdrawn) The vector decoupling assembly of claim 12, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is linear.

Application No. 12/984,293
Amendment dated January 9, 2013
After Final Office Action of July 9, 2012

Docket No.: 2003127.00122US3

14. (Withdrawn) The vector decoupling assembly of claim 12, wherein a relationship between a position of the lateral release assembly with respect to the neutral position and the force required to move the lateral release assembly is non-linear.

Application No. 12/984,293
Amendment dated January 9, 2013
After Final Office Action of July 9, 2012

Docket No.: 2003127.00122US3

REMARKS

This paper is responsive to the Office Action dated July 9, 2012. By this paper, claim 4 has been amended, and claims 9 through 14 have been withdrawn. No new matter has been added.

At paragraph 2 of the Office Action, the Examiner withdraws claims 10-14 as being directed to a non-elected invention. Accordingly, the Applicant marks claims 10-14 as withdrawn. Applicant intends to pursue those claims in a Divisional Application.

At paragraph 3 of the Office Action, the Examiner rejects claims 4-9 under 35 U.S.C. §112, second paragraph, as being indefinite. The Applicant amends claim 4 to recite “. . . in the absence of force vectors . . .” rather than “. . . in the absence *the* force vectors . . .” as the Examiner suggests. Accordingly, that rejection should be withdrawn.

At paragraph 5 of the Office Action, the Examiner rejects claims 1-9 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,858,946 to Stritzl et al. (hereinafter ‘Stritzl’). The Applicant disagrees with the Examiner for at least the following reasons.

1. Stritzl does not teach or suggest the claim 1 element, “an upper heel assembly . . . having a lateral release assembly for applying lateral securing pressure to the ski boot” as the Examiner asserts. The Examiner indicates that the locking pin 15a of Stritzl teaches the lateral release assembly, which applies lateral pressure to the ski boot via spring 21 and tread spur 7. However, as Stritzl figures 1 and 2 and col. 3 lines 39 to 44 show, the tread spur 7 does not include any side elements that would enable applying lateral securing pressure to the ski boot. The tread spur 7 is constructed and arranged to provide securing pressure to the back of the ski boot rather than to the sides. (*See, e.g., “The tread spur 7 is designed in a known manner to enable the sole support 6 to swing upward in the case of a rearward torsion fall.” 3:39-41, emphasis added*).
2. Stritzl does not teach or suggest a linkage element, a first surface and a second surface cooperate to limit motion of the lateral release assembly, as claim 1 requires. The