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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,918	11/09/2007	D 502,303	WUFA3004RX/REF/SAB	3115

4586 7590 01/15/2008

ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 01/15/2008

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



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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

BACON & THOMAS
625 SLATERS LANE
4th FLOOR
Alexandria, VA 22314-1176

Date: 1-15-08

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. : 90008918
PATENT NO. : D502303
ART UNIT : 3992

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified ex parte reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the ex parte reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

Order Granting / Denying Request For Ex Parte Reexamination	Control No. 90/008,918	Patent Under Reexamination D 502,303 ET AL	
	Examiner Sandra Snapp	Art Unit 2915	

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

The request for *ex parte* reexamination filed 09 November 2007 has been considered and a determination has been made. An identification of the claims, the references relied upon, and the rationale supporting the determination are attached.

Attachments: a) PTO-892, b) PTO/SB/08, c) Other: _____

1. The request for *ex parte* reexamination is GRANTED.

RESPONSE TIMES ARE SET AS FOLLOWS:

For Patent Owner's Statement (Optional): TWO MONTHS from the mailing date of this communication (37 CFR 1.530 (b)). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

For Requester's Reply (optional): TWO MONTHS from the **date of service** of any timely filed Patent Owner's Statement (37 CFR 1.535). **NO EXTENSION OF THIS TIME PERIOD IS PERMITTED.** If Patent Owner does not file a timely statement under 37 CFR 1.530(b), then no reply by requester is permitted.

2. The request for *ex parte* reexamination is DENIED.

This decision is not appealable (35 U.S.C. 303(c)). Requester may seek review by petition to the Commissioner under 37 CFR 1.181 within ONE MONTH from the mailing date of this communication (37 CFR 1.515(c)). **EXTENSION OF TIME TO FILE SUCH A PETITION UNDER 37 CFR 1.181 ARE AVAILABLE ONLY BY PETITION TO SUSPEND OR WAIVE THE REGULATIONS UNDER 37 CFR 1.183.**

In due course, a refund under 37 CFR 1.26 (c) will be made to requester:

- a) by Treasury check or,
b) by credit to Deposit Account No. _____, or
c) by credit to a credit card account, unless otherwise notified (35 U.S.C. 303(c)).

cc:Requester (if third party requester)

REEXAMINATION

Question of Patentability

A substantial new question of patentability affecting the single design claim of United States Patent Number US D502,303 is raised by the request for *ex parte* reexamination.

Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that *ex parte* reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.550(a)). Extensions of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).

Litigation Activity

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. D502,303 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

Consideration of the Request for Reexamination

The Request indicates that the Requestor considers the single design claim unpatentable over the 2003 Golf Products Catalog of Bag Boy Company Ltd. as modified by the Liao patent (D450,416), the Wu patent (D391,731) and the Liao patent (D450,902).

It is agreed that the consideration of the Golf Products Catalog, Liao and Wu patents raise a substantial new question of patentability as to the single design claim of the Wu patent (US D502,303). As pointed out in the Request, the golf cart disclosed in the Golf Products Catalog, as modified by the Liao and Wu patents, is substantially similar to that of the Wu golf cart. Accordingly, the Golf Products Catalog, as modified by the Liao and Wu patents raise a substantial new question of patentability as to the single design claim, which has not been decided in previous examination of the Wu patent hereby warranting further consideration of the patent claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra Snapp whose telephone number is 571-272-8364. The examiner can normally be reached from 7:00 a.m. to 5:30 p.m. on Mon.-Thurs.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Watson can be reached on 571-272-2647. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
90/008,918
Art Unit: 2915

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SS


SANDRA SNAPP
PRIMARY EXAMINER

Substitute for form 1449/PTO				Complete if Known	
				Application Number	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Filing Date	
				First Named Inventor	
				Art Unit	
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	WUFA3004RX/REF

U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ²				
SS	—	US-	Des. 391,731	03/03/1998	Fang-Li Wu	—
SS	—	US-	D450,416	11/13/2001	Gordon Liao	—
SS	—	US-	D450,902	11/20/2001	Gordon Liao	—
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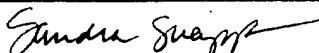
FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. 1	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Ts
		Country Code ³ -Number	Kind Codes (if known)				

Examiner Signature	<i>Jandra Snapp</i>	Date Considered	1/2/8
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. 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 2 hours 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.

Substitute for form 144B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	
				Filing Date	
				First Named Inventor	
				Art Unit	
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	WUFA3004RX/REF/SAB
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ₂
SS	-	2003 Golf Products Catalog of Bag Boy Company Ltd., cover page, table of contents, pp. 12 and 13, and last page (2003)			-

Examiner Signature		Date Considered	1/2/8
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

† Applicant's unique citation designation number (optional). ‡ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. 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 2 hours 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.

Litigation Search Report CRU 3999

Reexam Control No. 90/008,918

TO: MARK REINHART

Location: CRU

Art Unit: 3992

Date: 11/20/07

Case Serial Number: 90/008,918

From: MANUEL SALDANA

Location: CRU 3999

MDW 7C55

Phone: (571) 272-7740

Manuel.Saldana@uspto.gov

Search Notes

Litigation was NOT found involving U.S. Patent Number D502,303 .

Sources:

- 1) I performed a KeyCite Search in Westlaw, which retrieves all history on the patent including any litigation.
- 2) I performed a search on the patent in Lexis CourtLink for any open dockets or closed cases.
- 3) I performed a search in Lexis in the Federal Courts and Administrative Materials databases for any cases found.
- 4) I performed a search in Lexis in the IP Journal and Periodicals database for any articles on the patent.
- 5) I performed a search in Lexis in the news databases for any articles about the patent or any articles about litigation on this patent.

KEYCITE

CUS PAT D502303 GOLF CART, Assignee: Sports World Enterprises Co., Ltd. (Feb 22, 2005)

History

=> 1 **GOLF CART, US PAT D502303, 2005 WL 409950 (U.S. PTO Design Feb 22, 2005) (NO. 29/204999)**

Prior Art (Coverage Begins 1976)

- C** 2 US PAT D292039 FOLDING GOLF CART, (U.S. PTO Design 1987)
- C** 3 US PAT D462152 GOLF CART, Assignee: Unique Product & Design Co., Ltd., (U.S. PTO Design 2002)
- C** 4 US PAT D450902 GOLF CART, Assignee: Unique Product & Design Co., Ltd., (U.S. PTO Design 2001)
- C** 5 US PAT D450416 GOLF CART, Assignee: Unique Product & Design Co., Ltd., (U.S. PTO Design 2001)
- C** 6 US PAT D493018 GOLF CART, Assignee: Unique Product & Design Co., LTD, (U.S. PTO Design 2004)
- C** 7 US PAT D391731 GOLF TROLLEY, Assignee: Sports World Enterprise Co., Ltd., (U.S. PTO Design 1998)


Patent Search D502303 11/20/2007

No cases found.

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PAT= D502303

 Search

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 [View Tutorial](#)

1. 20070082840 (Note: This is a Patent Application only.), April 12, 2007 , Combination therapy for inhibition of platelet aggregation, Porter, R. Stephen - Franklin, Tennessee, United States (US); Flaharty, Kristen K. - Fort Myers, Florida, United States (US); Tchong, James E. - Durham, North Carolina, United States (US); Ferkany, John W. - Brighton, Massachusetts, United States (US), 515596 (11), January 24, 2007 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., VDDI PHARMACEUTICALS 5200 MARYLAND WAY BRENTWOOD TENNESSEE 37027, Reel and Frame Number: 018800/0448

CORE TERMS: platelet, inhibitor, aggregation, activation, administered, antagonist, patient, dose, angioplasty, coronary ...

2. 6692450 , February 17, 2004 , Focused ultrasound ablation devices having selectively actuatable ultrasound emitting elements and methods of using the same, Coleman, R. Glen - Jacksonville, Florida, United States (US), 487710 (09), May 24, 2000 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., MEDTRONIC XOMED SURGICAL PRODUCTS, INC. 6743 SOUTHPOINT DR., N.JACKSONVILLE, FLORIDA, 32216, Reel and Frame Number: 010812/0045 November 13, 2001 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., MEDTRONIC XOMED, INC. 6743 SOUTHPOINT DRIVE, NORTHJACKSONVILLE, FLORIDA, 32216, Reel and Frame Number: 012304/0156, Medtronic Xomed, Inc., Jacksonville, Florida, United States (US), United States company or corporation (02)

CORE TERMS: ultrasound, tissue, transducer, lesion, emitting, ablation, energy, anatomical, handle, focusing ...

3. 6333424 , December 25, 2001 , Therapeutic derivatives of diphosphonates, Herczegh, Pal - Debrecen, Hungary (HU); Hartmann, John F. - Princeton Junction, New Jersey, United States (US); Kovacs, Arpad - Miskolo, Hungary (HU); Sztaricskai, Ferenc J. - Debrecen, Hungary (HU); Hornyak, Miklos - Debrecen, Hungary (HU), 269974 (09), October 22, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ELIZANOR BIOPHARMACEUTICALS, INC. ONE WOODMEADOW LANE PRINCETON JUNCTION, NEW JERSEY, 08550, Reel and Frame Number: 012281/0507, Eliza Nor Biopharmaceuticals, Inc., Princeton Junction, New Jersey, United States (US), United States company or corporation (02)

CORE TERMS: compound, acid, pharmaceutically, mmol, disease, residue, entity, bone, therapeutic, chemical ...

4. 6024697 , February 15, 2000 , Multi-bladed speculum for dilating a body cavity, Pisarik, Paul - 4154 W. Corona Dr., Chandler, Arizona, United States (US), 228217 (09)

CORE TERMS: blade, speculum, body cavity, vaginal, specula, patient, repair, divergence, cavity, convergence ...

5. 5958511 , September 28, 1999 , Process for touching up pretreated metal surfaces, Dolan, Shawn E. - Sterling Heights, Michigan, United States (US), 837503 (08), April 18, 1997 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., HENKEL CORPORATION (HENKEL CORP.) SUITE 150 140 GERMANTOWN PIKE PLYMOUTH MEETING, PENNSYLVANIA, 19462, Reel and Frame Number: 008522/0924, Henkel Corporation , Plymouth Meeting, Pennsylvania, United States (US), United States company or corporation (02)

CORE TERMS: composition, coating, protective, sub, anions, acid, atom, touched,

ingredient, polymer ...

6. 20070118391 (Note: This is a Patent Application only.), May 24, 2007 , Business Method Using The Automated Processing of Paper and Unstructured Electronic Documents, Malaney, Sanjeev - La Jolla, California, United States (US); Kulkarni, Parag - Pune, India (IN); Viswanathan, Krishnawami - Pune, India (IN); Malaney, Vikram - Mumbai, India (IN), 552495 (11), Capsilon FSG, Inc., San Diego, California, United States (US), United States company or corporation (02)

CORE TERMS: classification, extracted, extraction, collation, taxonomy, mortgage, engine, discrete, electronic, format ...

7. 20070232457 (Note: This is a Patent Application only.), October 4, 2007 , Exercise Equipment With Automatic Adjustment Of Stride Length And/Or Stride Height Based Upon Direction Of Foot Support Rotation, Porth, Timothy J. - Bloomington, Minnesota, United States (US), 761740 (11)

CORE TERMS: foot, path, pivot, travel, closed loop, stride, arm, pivotally, rocker, repositioning ...

8. 20050181911 (Note: This is a Patent Application only.), August 18, 2005 , Exercise equipment with automatic adjustment of stride length and/or stride height based upon speed of foot support, Porth, Timothy J. - Bloomington, Minnesota, United States (US), 781266 (10), June 23, 2004 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., OCTANE FITNESS, LLC 2705 BUNKER LAKE BLVD. ANDOVER MINNESOTA 55304, Reel and Frame Number: 014768/0870 February 10, 2005 - PATENT SECURITY AGREEMENT AND COLLATERAL ASSIGNMENT, CAPITALSOURCE FINANCE LLC 4445 WILLARD AVENUE CHEVY CHASE MARYLAND 02048, Reel and Frame Number: 015667/0675, March 14, 2007 - RELEASE BY SECURED PARTY (SEE DOCUMENT FOR DETAILS)., OCTANE FITNESS, LLC 9200 WYOMING AVENUE NORTH BROOKLYN PARK MINNESOTA 55445, Reel and Frame Number: 019009/0243 March 15, 2007 - SECURITY AGREEMENT, GOLUB CAPITAL INCORPORATED, AS ADMINISTRATIVE AGENT 551 MADISION AVENUE NEW YORK NEW YORK 10022, Reel and Frame Number: 019009/0932

CORE TERMS: foot, path, pivot, travel, closed loop, stride, arm, pulley, rocker, repositioning ...

9. 6477143 , November 5, 2002 , Method and apparatus for packet network congestion avoidance and control, Ginossar, Dror - 8 Drezner Street, Tel Aviv 69497, Israel (IL), 223611 (09)

CORE TERMS: node, network, segment, congestion, packet, sending, router, intermediate, notification, transmission ...

10. 5487898 , January 30, 1996 , Compositions and method for the sublingual or buccal administration therapeutic agents, Lu, Mou-Ying F. - Lake Bluff, Illinois, United States (US); Reiland, Thomas L. - Gages Lake, Illinois, United States (US), 193374 (08), February 7, 1994 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ABBOTT LABORATORIES PATENT AND TRADEMARK DEPARTMENT ONE ABBOTT PARK ROAD ABBOTT PARK, IL 60064-3500, Reel and Frame Number: 006902/0010, Abbott Laboratories, Abbott Park, Illinois, United States (US), United States company or corporation (02)

CORE TERMS: sup, composition, leuprolide, acid, residue, administered, acetate, bioavailability, therapeutic, concentration ...

11. 20070194793 (Note: This is a Patent Application only.), August 23, 2007 , Method and apparatus for measuring a parameter of a vehicle electrical system, Bertness, Kevin I. - Batavia, Illinois, United States (US), 641594 (11)

CORE TERMS: electrical, parameter, resistance, measurement, cable, circuitry, conductance, configured, couple, load ...

12. 6549007 , April 15, 2003 , On-line NMR imaging of a solid or liquid object undergoing continuous translational motion, Hills, Brian Philip - Norwich, United Kingdom (GB); Wright, Kevin Michael - Norwich, United Kingdom (GB), 600773 (09), September 11, 2000 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., INSTITUTE OF FOOD RESEARCH NORWICH LABORATORY, NORWICH RESEARCH PARK, COLONEYNORWICH, (1), Reel and Frame Number: 011094/0850, Institute of Food Research, Norwich, United Kingdom (GB), Foreign company or corporation (03)

CORE TERMS: gradient, pulse, imaging, echo, velocity, spin, sequence, magnetic field, modified, appendix ...

13. 6420970 , July 16, 2002 , Emergency exit door with an emergency door opening system with a control box having an emergency door opening button and display module, Kampmann, Manfred - Herdecke, Germany (DE); Schmidt, Axel - Ennepetal, Germany (DE); Heese, Armin - Reichshof, Germany (DE), 532449 (09), February 20, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., DORMA GMBH + CO. KG BRECKERFELDER STR. 42-48D-58256 ENNEPETAL, (1), Reel and Frame Number: 011553/0830, Dorma GmbH + Co. KG, Ennepetal, Germany (DE), Foreign company or corporation (03)

CORE TERMS: door, emergency, display, alarm, module, housing, button, mounting, visual, cylinder ...

14. 5853740 , December 29, 1998 , Delivery system for pharmaceutical agents encapsulated with oils, Lu, Mou-Ying Fu - Lake Bluff, Illinois, United States (US); Adjei, Akwete L. - Wadsworth, Illinois, United States (US); Johnson, Hillard W. - Gurnee, Illinois, United States (US), 693724 (08), August 7, 1996 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ABBOTT LABORATORIES PATENT AND TRADEMARK DEPARTMENT, D377, AP6D 100 ABBOTT PARK ROAD ABBOTT PARK, ILLINOIS, 60064, Reel and Frame Number: 008140/0927, Abbott Laboratories, Abbott Park, Illinois, United States (US), United States company or corporation (02)

CORE TERMS: oil, aqueous, compound, peptide, droplet, emulsion, sub, composition, volume, microemulsion ...

15. 6375562 , April 23, 2002 , Sliding door, Hein, Christian - Langenhagen, Germany (DE), 613782 (09), January 16, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., DORMA GMBH + CO. KG BRECKERFELDER STR. 42-4858256 ENNEPETAL, (1), Reel and Frame Number: 011440/0646, Dorma GmbH + Co. KG, Ennepetal, Germany (DE), Foreign company or corporation (03)

CORE TERMS: blower, nozzle, door, panel, moving, wind, ventilation, sensor, sliding, side-piece ...

16. 7270626 , September 18, 2007 , Exercise equipment with automatic adjustment of stride length and/or stride height based upon direction of foot support rotation, Porth, Timothy J. - Bloomington, Minnesota, United States (US), 763744 (10), Octane Fitness, LLC, Brooklyn Park, Minnesota, United States (US), United

States company or corporation (02)

CORE TERMS: foot, path, travel, pivot, closed loop, stride, rocker, pivotally, forward, drive ...

17. 20050164835 (Note: This is a Patent Application only.), July 28, 2005 , Exercise equipment with automatic adjustment of stride length and/or stride height based upon direction of foot support rotation, Porth, Timothy J. - Bloomington, Minnesota, United States (US), 763744 (10), July 23, 2004 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., OCTANE FITNESS, LLC 2705 BUNKER LAKE BLVD. SUITE 201ANDOVER, MINNESOTA, 55304, Reel and Frame Number: 014893/0225 February 10, 2005 - PATENT SECURITY AGREEMENT AND COLLATERAL ASSIGNMENT, CAPITALSOURCE FINANCE LLC 4445 WILLARD AVENUE 12TH FLOORCHEVY CHASE, MARYLAND, 02048, Reel and Frame Number: 015667/0675, March 14, 2007 - RELEASE BY SECURED PARTY (SEE DOCUMENT FOR DETAILS)., OCTANE FITNESS, LLC 9200 WYOMING AVENUE NORTH BROOKLYN PARK MINNESOTA 55445, Reel and Frame Number: 019009/0243 March 15, 2007 - SECURITY AGREEMENT, GOLUB CAPITAL INCORPORATED, AS ADMINISTRATIVE AGENT 551 MADISION AVENUE NEW YORK NEW YORK 10022, Reel and Frame Number: 019009/0932

CORE TERMS: foot, path, pivot, travel, closed loop, stride, arm, rocker, repositioning, pivotally ...

18. 6875563 , April 5, 2005 , Fluorinated surfactants in overcoat compositions and elements containing same, Orem, Michael W. - Rochester, New York, United States (US); Andrews, Ronald R. - Rochester, New York, United States (US), 702861 (10), March 17, 2004 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., EASTMAN KODAK COMPANY ROCHESTER NEW YORK 14650-2201, Reel and Frame Number: 015092/0341, Eastman Kodak Company, Rochester, New York, United States (US), United States company or corporation (02)

CORE TERMS: layer, surfactant, photographic, overcoat, coating, composition, compound, gelatin, ester, coupler ...

19. 20040137385 (Note: This is a Patent Application only.), July 15, 2004 , Fluorinated surfactants in overcoat compositions and elements containing same, Orem, Michael W. - Rochester, New York, United States (US); Andrews, Ronald R. - Rochester, New York, United States (US), 702861 (10), March 17, 2004 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., EASTMAN KODAK COMPANY ROCHESTER NEW YORK 14650-2201, Reel and Frame Number: 015092/0341

CORE TERMS: layer, surfactant, photographic, overcoat, coating, composition, compound, gelatin, ester, coupler ...

20. 20070197517 (Note: This is a Patent Application only.), August 23, 2007 , Combination therapy for hyperproliferative disease, Jani, Jitesh P. - East Lyme, Connecticut, United States (US); Beebe, Jean S. - Salem, Connecticut, United States (US); Schaeffer, Tracey L. - Franklin, Connecticut, United States (US); Healey, Diane I. - Madison, Connecticut, United States (US); Ferrante, Karen J. - East Greenwich, Rhode Island, United States (US); O'Leary, James J. - Mystic, Connecticut, United States (US), 643546 (10), Pfizer Inc., United States (US), United States company or corporation (02)

CORE TERMS: compound, acid, salt, amide, tumor, optionally, formula, heterocyclic,

inhibitor, effective ...

21. 20010037605 (Note: This is a Patent Application only.), November 8, 2001 , Sliding panel system having panels sliding along at least one slide rail arrangement and movable partition system having a rail, and a rail for a carriage for a movable partition, and a method for use of a movable partition system having a rail, and a partition wall system having a drive mechanism, and a housing, in particular for drive systems of automatic and horizontally movable elements, Finke, Andreas - Gevelsberg, Germany (DE), 745069 (09)

CORE TERMS: leg, profile, housing, transverse, drive, movable, mounting, groove, longitudinal, utilized ...

22. 6602791 , August 5, 2003 , Manufacture of integrated fluidic devices, Ouellet, Luc - Granby, Canada (CA); Tyler, Heather - Bromont, Canada (CA), 842836 (09), October 25, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., MITEL CORPORATION 400 MARCH ROADKANATA, ON, (1)K2K 3, Reel and Frame Number: 012282/0659 March 13, 2002 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., ZARLINK SEMICONDUCTOR INC. 400 MARCH ROADOTTAWA, (1)K2K 3, Reel and Frame Number: 012679/0883 June 4, 2002 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., DALSA SEMICONDUCTOR INC 605 MCMURRAY ROADWATERLOO, (1)N2V 2, Reel and Frame Number: 012956/0138, Dalsa Semiconductor Inc., Waterloo, Canada (CA), Foreign company or corporation (03)

CORE TERMS: layer, micro-channel, tin, sio₂, substrate, biochip, deposited, passive, electrode, fluid ...

23. 20020160561 (Note: This is a Patent Application only.), October 31, 2002 , Manufacture of integrated fluidic devices, Ouellet, Luc - Granby, Canada (CA); Tyler, Heather - Bromont, Canada (CA), 842836 (09), June 4, 2002 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., DALSA SEMICONDUCTOR INC WATERLOO N2V 2, Reel and Frame Number: 012956/0138 March 13, 2002 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., ZARLINK SEMICONDUCTOR INC. OTTAWA K2K 3, Reel and Frame Number: 012679/0883

CORE TERMS: layer, micro-channel, tin, sio₂, substrate, biochip, deposited, electrode, passive, fluid ...

24. 6010379 , January 4, 2000 , Exhaust gas system for ocean-going vessels, preferably for military purposes, Baumann, Knut - Hamburg, Germany (DE), 093149 (09), October 2, 1998 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., BLOHM + VOSS GMBH HERMANN-BLOHM-STR. 320457 HAMBURG, (1), Reel and Frame Number: 009489/0941, Blohm + Voss GmbH, Hamburg, Germany (DE), Foreign company or corporation (03)

CORE TERMS: exhaust gas, exhaust, engine, gas turbine, propulsion, diesel, duct, gases, ship, collector ...

25. 20050073168 (Note: This is a Patent Application only.), April 7, 2005 , Visor gap shade, Herrera, Gerardo - Carol Stream, Illinois, United States (US), 955752 (10)

CORE TERMS: visor, shade, gap, auxiliary, loop, longitudinal, sheet, pivotable, rearview mirror, driver ...

26. 20040221546 (Note: This is a Patent Application only.), November 11, 2004 , Beverage bottling plant for filling bottles with a liquid beverage filling material, a container filling plant container information adding station, such as, a

labeling station, configured to add information to containers, such as, bottles and cans, and modules for labeling stations, Zwilling, Heinz-Michael - Hamm, Germany (DE), 780280 (10), July 22, 2004 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., KHS MASCHINEN-UND ANLAGENBAU AG JUCHOSTRASSE 20D-44143 DORTMUND, (1), Reel and Frame Number: 014891/0466

CORE TERMS: module, filling, labeling, container, bottle, configured, machine, station, beverage, utilized ...

27. 20060150578 (Note: This is a Patent Application only.), July 13, 2006 , Beverage container filling plant for filling containers with a liquid beverage, Zwilling, Heinz-Michael - Hamm, Germany (DE), 343592 (11), KHS Maschinen-und Anlagenbau AG, Dortmund, Germany (DE), Foreign company or corporation (03)

CORE TERMS: module, filling, labeling, container, bottle, configured, machine, station, beverage, utilized ...

28. 20030148232 (Note: This is a Patent Application only.), August 7, 2003 , Fluorinated surfactants in overcoat compositions and elements containing same, Orem, Michael W. - Rochester, New York, United States (US); Andrews, Ronald R. - Rochester, New York, United States (US), 156298 (10), July 30, 2002 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., EASTMAN KODAK COMPANY ROCHESTER, NEW YORK, 14650, Reel and Frame Number: 013136/0573

CORE TERMS: layer, surfactant, photographic, overcoat, coating, composition, compound, gelatin, ester, coupler ...

29. 20050037063 (Note: This is a Patent Application only.), February 17, 2005 , Combined therapies, Bolton, Anthony E. - Santry, Ireland (IE); Mandel, Arkady - North York, Canada (CA), 893113 (10)

CORE TERMS: patient, phospholipid, liposome, synthetic, semi-synthetic, cardiovascular, carrying, nanometers, mammalian, ligands ...

30. 7013624 , March 21, 2006 , Beverage bottling plant for filling bottles with a liquid beverage filling material, a container filling plant container information adding station, such as, a labeling station, configured to add information to containers, such as, bottles and cans, and modules for labeling stations, Zwilling, Heinz-Michael - Hamm, Germany (DE), 780280 (10), July 22, 2004 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., KHS MASCHINEN-UND ANLAGENBAU AG JUCHOSTRASSE 20 D-44143 DORTMUND, Reel and Frame Number: 014891/0466, KHS Maschinen- und Anlagenbau AG, Dortmund, Germany (DE), Foreign company or corporation (03)

CORE TERMS: module, filling, labeling, container, bottle, configured, machine, station, beverage, utilized ...

31. 20060029211 (Note: This is a Patent Application only.), February 9, 2006 , Enhanced User Functionality from a Telephone Device to an IP Network, Mow, John Beck - 4665 Glen Heather Dr, Frisco, Texas, 75034, United States (US), 907586 (10)

CORE TERMS: actuation, actuating, telephone, tone, keyboard, binary, alphabetic, network, digit, combined ...

32. 20020068740 (Note: This is a Patent Application only.), June 6, 2002 , Combination of aldose reductase inhibitors and antihypertensive agents for the treatment of

diabetic complications, Mylari, Banavara L. - Waterford, Connecticut, United States (US), 727958 (09)

CORE TERMS: prodrug, salt, inhibitor, pharmaceutically, composition, aldose, antihypertensive, reductase, diabetic, acid ...

33. 6936046 , August 30, 2005 , Methods of using high intensity focused ultrasound to form an ablated tissue area containing a plurality of lesions, Hissong, James B. - Jacksonville, Florida, United States (US); Dinger, Fred B. - Jacksonville, Florida, United States (US), 464213 (10), Medtronic, Inc., Minneapolis, Minnesota, United States (US), United States company or corporation (02)

CORE TERMS: tissue, skin, ultrasound, ablated, lesion, transducer, energy, emitting, focusing, zone ...

34. 6934303 , August 23, 2005 , Methods and apparatus for constructing a program association table when reducing multiplexed data streams, Vince, Lawrence D. - Lansdale, Pennsylvania, United States (US); Viola, Jeffrey Paul - Glen Mills, Pennsylvania, United States (US); Harris, James R. - Haddonfield, New Jersey, United States (US); Jost, Arthur P. - Mt. Laurel, New Jersey, United States (US); DiColli, Richard - Broomall, Pennsylvania, United States (US); Elstermann, Erik - Carlsbad, California, United States (US); Kuczynski-Brown, Jeffrey D. - Elkins Park, Pennsylvania, United States (US), 800806 (09), General Instrument Corporation, Horsham, Pennsylvania, United States (US), United States company or corporation (02)

CORE TERMS: stream, subgroup, multiplexed, hidden, phase, inbound, all-inclusive, transcoder, correspond, predefined ...

35. 20020126702 (Note: This is a Patent Application only.), September 12, 2002 , Methods and apparatus for constructing a program association table when reducing multiplexed data streams, Vince, Lawrence D. - Lansdale, Pennsylvania, United States (US); Viola, Jeffrey Paul - Glen Mills, Pennsylvania, United States (US); Harris, James R. - Haddonfield, New Jersey, United States (US); Jost, Arthur P. - Mt. Laurel, New Jersey, United States (US); DiColli, Richard - Broomall, Pennsylvania, United States (US); Elstermann, Erik - Carlsbad, California, United States (US); Kuczynski-Brown, Jeffrey D. - Elkins Park, Pennsylvania, United States (US), 800806 (09)

CORE TERMS: stream, subgroup, multiplexed, hidden, phase, inbound, all-inclusive, transcoder, correspond, predefined ...

36. 20030212351 (Note: This is a Patent Application only.), November 13, 2003 , Methods of using high intensity focused ultrasound to form an ablated tissue area containing a plurality of lesions, Hissong, James B. - Jacksonville, Florida, United States (US); Dinger, Fred B. - Jacksonville, Florida, United States (US), 464213 (10)

CORE TERMS: tissue, skin, ultrasound, ablated, lesion, transducer, energy, emitting, focusing, zone ...

37. 6266922 , July 31, 2001 , Revolving door, Rockenbach, Manfred - Frechen, Germany (DE), 546504 (09), August 28, 2000 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., DDRMA GMBH + CO. KG BRECKERFELDER STR. 42-4858256 ENNEPETAL, (1), Reel and Frame Number: 011075/0141 January 22, 2001 - RE-RECORD TO CORRECT THE RECEIVING PARTY'S NAME, PREVIOUSLY RECORDED AT REEL 011075, FRAME 0141., DORMA GMBH + CO. KG BRECKERFELDER STR. 42-

48D-58256 ENNEPETAL, (1), Reel and Frame Number: 011480/0859 January 22, 2001 - RE-RECORD TO CORRECT THE RECEIVING PARTY S NAME, PREVIOUSLY RECORDED AT REEL 011075, FRAME 0141., DORMA GMBH + CO. KG BRECKERFELDER STR. 42-48D-58256 ENNEPETAL, (1), Reel and Frame Number: 011480/0859, DORMA GmbH + Co. KG, Ennepetal, Germany (DE), Foreign company or corporation (03)

CORE TERMS: ceiling, beam, drive, segment, band, arcuate, revolving door, configured, utilized, door ...

38. 20030025618 (Note: This is a Patent Application only.), February 6, 2003 , Method of using twelve sensors to produce data, Burrell, James W. - Union, New Jersey, United States (US), 910323 (09)

CORE TERMS: sensor, activation, combined, activated, asterisk, pound, first preferred, twice, actuation, upper-case ...

39. 6409720 , June 25, 2002 , Methods of tongue reduction using high intensity focused ultrasound to form an ablated tissue area containing a plurality of lesions, Hissong, James B. - Jacksonville, Florida, United States (US); Dinger, III, Fred B. - Jacksonville, Florida, United States (US), 629197 (09), November 9, 2001 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., MEDTRONIC XOMED, INC. 6743 SOUTHPOINT DRIVE, NORTHJACKSONVILLE, FLORIDA, 32216, Reel and Frame Number: 012507/0812, Medtronic Xomed, Inc., Jacksonville, Florida, United States (US), United States company or corporation (02)

CORE TERMS: tissue, ultrasound, tongue, ablated, lesion, transducer, emitting, energy, focusing, zone ...

40. 6451013 , September 17, 2002 , Methods of tonsil reduction using high intensity focused ultrasound to form an ablated tissue area containing a plurality of lesions, Bays, F. Barry - Collierville, Tennessee, United States (US); Hissong, James B. - Jacksonville, Florida, United States (US), 629842 (09), November 28, 2000 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., MEDTRONIX XOMED SURGICAL PRODUCTS, INC. 6743 SOUTHPOINT DRIVE N.JACKSONVILLE, FLORIDA, 32216, Reel and Frame Number: 011328/0087 November 13, 2001 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS)., MEDTRONIC XOMED, INC. 6743 SOUTHPOINT DRIVE, NORTHJACKSONVILLE, FLORIDA, 32216, Reel and Frame Number: 012304/0156, Medtronic Xomed, Inc., Jacksonville, Florida, United States (US), United States company or corporation (02)

CORE TERMS: tissue, ultrasound, tonsil, ablated, lesion, transducer, energy, emitting, focusing, external ...

41. 20070090844 (Note: This is a Patent Application only.), April 26, 2007 , Battery monitoring system, Klang, James K. - Wheaton, Illinois, United States (US), 638771 (11), December 14, 2006 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., MIDTRONICS, INC. 7000 MONROE STREET WILLOWBROOK ILLINOIS 60527, Reel and Frame Number: 018687/0487, Midtronics, Inc., Willowbrook, Illinois, United States (US), United States company or corporation (02)

CORE TERMS: battery, voltage, cranking, conductance, equation, sensor, load, full charge, microprocessor, electrical ...

42. 6488989 , December 3, 2002 , Hydrophilicizing surfaces, especially aluminum, McCormick, David R. - Clawson, Michigan, United States (US), 485654

(09), August 7, 2000 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., HENKEL CORPORATION SUITE 200 2500 RENAISSANCE BLVD.GULPH MILLS, PENNSYLVANIA, 19406, Reel and Frame Number: 011118/0972, Henkel Corporation, Gulph Mills, Pennsylvania, United States (US), United States company or corporation (02)

CORE TERMS: composition, coating, aqueous, acid, ppt, polymer, independently, oxide, hydrophilicizing, aluminum ...

43. 20050267454 (Note: This is a Patent Application only.), December 1, 2005 , Methods of using high intensity focused ultrasound to form an ablated tissue area containing a plurality of lesions, Hissong, James B. - Jacksonville, Florida, United States (US); Dinger, Fred B. - Jacksonville, Florida, United States (US), 184398 (11), Medtronic, Inc., United States (US), United States company or corporation (02)

CORE TERMS: tissue, skin, ultrasound, ablated, lesion, transducer, energy, emitting, focusing, zone ...

44. 20030144298 (Note: This is a Patent Application only.), July 31, 2003 , Therapeutic combinations of antihypertensive and antiangiogenics agents, Curwen, Jon Owen - Macclesfield, United Kingdom (GB); Ogilvie, Donald James - Macclesfield, United Kingdom (GB), 240413 (10), October 1, 2002 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ASTRAZENECA ABS-151 85, SODERTALJE, (1), Reel and Frame Number: 013942/0206

CORE TERMS: c1-4alkyl, kinase, tyrosine, receptor, anti-hypertensive, anti-angiogenic, hydrogen, quinazoline, inhibitor, independently ...

45. 6367198 , April 9, 2002 , Revolving door with night surround, Rockenbach, Manfred - Frechen, Germany (DE), 639137 (09), October 26, 2000 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., DORMA GMBH + CO. KG BRECKERFELDER STR. 42-4858256 ENNEPETAL, (1), Reel and Frame Number: 011214/0496, Dorma GmbH + Co. KG, Ennepetal, Germany (DE), Foreign company or corporation (03)

CORE TERMS: panel, door, night, surround, revolving door, entrance, rotation, shutter, exit, ceiling ...

46. 6530176 , March 11, 2003 , System for locking a sliding door, Hein, Christian - Langenhagen, Germany (DE), 638108 (09), January 29, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., DORMA GMBH + CO. KG BRECKERFELDER STR. 42-4858256 ENNEPETAL, (1), Reel and Frame Number: 011486/0200, Dorma GmbH + Co. KG, Ennepetal, Germany (DE), Foreign company or corporation (03)

CORE TERMS: locking, sliding, panel, drive, lever, belt, door, pin, closing, lock ...

47. 7287304 , October 30, 2007 , Cam cleat construction, Zebe, Jr., Charles W. - 1182 Hedding Rd., Columbus, New Jersey, 08022, United States (US), 314872 (11)

CORE TERMS: mounting, stud, cap, engaging, locking, convex, patented, footwear, engagement, lace ...

48. 7246015 , July 17, 2007 , Alternator tester, Bertness, Kevin I. - Batavia, Illinois, United States (US); Melton, Alan Keith - Portland, Oregon, United States (US), 864904 (10), Midtronics, Inc., Willowbrook, Illinois, United States (US), United States company or corporation (02)

CORE TERMS: alternator, battery, voltage, tester, engine, load, charging, microprocessor, testing, audit ...

49. 20070137003 (Note: This is a Patent Application only.), June 21, 2007 , Cam cleat construction, Zebe, Charles W. - Columbus, New Jersey, United States (US), 314872 (11)

CORE TERMS: mounting, stud, cap, engaging, locking, convex, patented, footwear, engagement, lace ...

50. 20060217914 (Note: This is a Patent Application only.), September 28, 2006 , Battery testers with secondary functionality, Bertness, Kevin I. - Batavia, Illinois, United States (US), 352945 (11), May 11, 2006 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., MIDTRONICS, INC. 7000 MONROE STREET WILLOWBROOK ILLINOIS 60527, Reel and Frame Number: 017879/0263

CORE TERMS: battery, module, tester, tire, circuitry, sensor, input, configured, connector, digital ...

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REEXAM CONTROL NUMBER	FILING OR 371 (c) DATE	PATENT NUMBER
90/008,918	11/09/2007	D502303

4586
ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

CONFIRMATION NO. 3115
REEXAM ASSIGNMENT NOTICE



Date Mailed: 11/16/2007

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The above-identified request for reexamination has been assigned to Art Unit 3992. All future correspondence to the proceeding should be identified by the control number listed above and directed to the assigned Art Unit.

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Legal Instruments Examiner
Central Reexamination Unit 571-272-7705; FAX No. 571-273-9900

**REEXAMINATION TITLE REPORT (AKA PATENT ASSIGNMENT ABSTRACT
OF TITLE)**

TYPE OF REEXAMINATION: XX EX PARTE INTER PARTES

REEXAM CONTROL NO.:90/008,918

SERIAL NUMBER : 29/204,999 FILING DATE 05/10/2004

PATENT NUMBER: D 502,303 ISSUE DATE 02/22/2005

FIRST THREE INVENTORS' NAMES: WU, FANG-LI

ET. AL?: Y XN

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SERIAL NUMBER 90/008,918	FILING OR 371(c) DATE 11/09/2007 RULE	CLASS D34	GROUP ART UNIT 3992	ATTORNEY DOCKET NO. WUFA3004RX/REF/SAB
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APPLICANTS

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 BACON & THOMAS, PLLC (3RD.PTY.REQ.), ALEXANDRIA, VA;
 BACON & THOMAS, ALEXANDRIA, VA

**** CONTINUING DATA *******

This application is a REX of 29/204,999 05/10/2004 PAT D,502,303

**** FOREIGN APPLICATIONS *******

Foreign Priority claimed 35 USC 119 (a-d) conditions met	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance	STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS 1	INDEPENDENT CLAIMS 1
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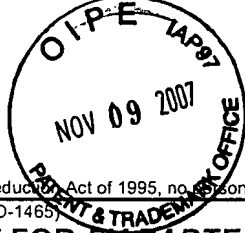
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. 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 2 hours 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.**



Reexam

PTO/SB/57 (09-07)

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(Also referred to as FORM PTO-1465)

U.S. PTO 90008918

REQUEST FOR *EX PARTE* REEXAMINATION TRANSMITTAL FORM



11/09/07

Address to:
Mail Stop *Ex Parte* Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.: WUFA3004RX/REF/SAB

Date: November 9, 2007

1. This is a request for *ex parte* reexamination pursuant to 37 CFR 1.510 of patent number D502,303 issued February 22, 2005. The request is made by:
 - patent owner.
 - third party requester.
2. The name and address of the person requesting reexamination is:

Bacon & Thomas, PLLC

625 Slaters Lane, 4th Floor

Alexandria, Virginia 22314-1176
3. a. A check in the amount of \$ 2,520.00 is enclosed to cover the reexamination fee, 37 CFR 1.20(c)(1);
 - b. The Director is hereby authorized to charge the fee as set forth in 37 CFR 1.20(c)(1) to Deposit Account No. _____ (submit duplicative copy for fee processing); or
 - c. Payment by credit card. Form PTO-2038 is attached.
4. Any refund should be made by check or credit to Deposit Account No. 02-0200 37 CFR 1.26(c). If payment is made by credit card, refund must be to credit card account.
5. A copy of the patent to be reexamined having a double column format on one side of a separate paper is enclosed. 37 CFR 1.510(b)(4)
6. CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
 - Landscape Table on CD
7. Nucleotide and/or Amino Acid Sequence Submission
If applicable, items a. - c. are required.
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM (2 copies) or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies
8. A copy of any disclaimer, certificate of correction or reexamination certificate issued in the patent is included.
9. Reexamination of claim(s) singular claim of U.S. Patent No. D502,303 is requested.
10. A copy of every patent or printed publication relied upon is submitted herewith including a listing thereof on Form PTO/SB/08, PTO-1449, or equivalent.
11. An English language translation of all necessary and pertinent non-English language patents and/or printed publications is included.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.510. 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 2 hours 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: Mail Stop *Ex Parte* Reexam, 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.

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12. The attached detailed request includes at least the following items:
- A statement identifying each substantial new question of patentability based on prior patents and printed publications. 37 CFR 1.510(b)(1)
 - An identification of every claim for which reexamination is requested, and a detailed explanation of the pertinency and manner of applying the cited art to every claim for which reexamination is requested. 37 CFR 1.510(b)(2)
13. A proposed amendment is included (only where the patent owner is the requester). 37 CFR 1.510(e)
14. a. It is certified that a copy of this request (if filed by other than the patent owner) has been served in its entirety on the patent owner as provided in 37 CFR 1.33(c).
The name and address of the party served and the date of service are:
- Rosenberg, Klein & Lee
-
- 3458 Ellicott Center Drive, Suite 101
-
- Ellicott City, Maryland 21043-4178
-
- Date of Service: November 9, 2007; or
- b. A duplicate copy is enclosed since service on patent owner was not possible.

15. Correspondence Address: Direct all communication about the reexamination to:

The address associated with Customer Number:

23364

OR

Firm or
Individual Name

Address

City

State

Zip

Country

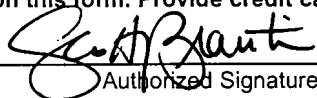
Telephone

Email

16. The patent is currently the subject of the following concurrent proceeding(s):

- Copending reissue Application No. _____.
- Copending reexamination Control No. _____.
- Copending Interference No. _____.
- Copending litigation styled: _____

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Authorized Signature

Scott A. Brairton

Typed/Printed Name

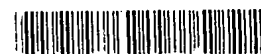
November 9, 2007

Date

55,020

Registration No.

- For Patent Owner Requester
 For Third Party Requester



11/09/07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Design Patent No. D502,303

Examiner: Baynham, Holly

Title: Golf Cart

Art Unit: 2911

Inventor: WU, Fang-Li

Issue Date: February 22, 2005

Attorney Docket: WUFA3004RX/REF/SAB

Mail Stop *Ex Parte* Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR *EX PARTE* REEXAMINATION OF
U.S. DESIGN PATENT NO. D502,303**

Sir:

Reexamination is hereby respectfully requested pursuant to 35 U.S.C. §§301-307 and 37 C.F.R. §1.510, of the singular claim of U.S. Design Patent No. D502,303, for an ornamental design for a golf cart, as shown and described.

A check in the amount of \$2,520.00 is enclosed as the required fee under 37 C.F.R. §1.510(a) and 37 C.F.R. §1.20(c)(1). The Patent Office is hereby authorized to debit Deposit Account No. 02-0200 for any additional fees deemed necessary.

Copies of every patent or printed publication relied upon in support of the request for reexamination as required by 37 C.F.R. §1.510(b)(3) are attached. Forms PTO/SB/08A and PTO/SB/08B listing all of the cited prior art is also submitted herewith.

A copy of the U.S. Design Patent No. D502,303 Patent, including the front page, drawings, specification and claims (in double column format) as required by 37 C.F.R. §1.510(b)(4), is also attached. U.S. Design Patent No. D502,303 Patent does not have any disclaimers, certificates of correction or reexamination certificates.

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Finally, pursuant to 37 C.F.R. §1.510(b)(5), a certification that a copy of the request has been served in its entirety on the patent owner at the address as provided for in 37 C.F.R. §1.33(c) is attached hereto.

Request for Reexamination Of U.S. Design Patent No. D502,303
Request Dated: November 9, 2007

Identification Of Claims For Which Reexamination is Requested

In accordance with 37 C.F.R. §1.510, reexamination of the singular design claim of U.S. Design Patent No. D502,303 is requested in view of the following references:

2003 Golf Products Catalog of Bag Boy Company Ltd. (2003)

U.S. Design Patent No. D450,416 issued on November 31, 2001 to Liao

U.S. Design Patent No. D391,731 issued on March 3, 1998 to Wu

U.S. Design Patent No. D450,902 issued on November 20, 2001 to Liao

Reexamination of the singular design claim is requested in view of the combination of the 2003 Golf Products Catalog by Bag Boy Company Ltd., U.S. Design Patent No. D450,416, U.S. Design Patent No. D391,731, and U.S. Design Patent No. D450,902.

US Design Patent No. D502,303 is still enforceable.

A detailed explanation of the pertinency and manner of applying the cited prior art to the singular design claim of U.S. Design Patent No. D502,303 for which reexamination is requested is set forth below.

Statement Pointing Out Each Substantial New Question Of Patentability

The 2003 Golf Products Catalog of Ball Boy Company Ltd. (hereinafter "the catalog") was not of record in the file of the U.S. Design Patent No. D502,303 Patent and qualifies as prior art against U.S. Design Patent No. D502,303. The catalog discloses a golf cart (Model No. 73603 pictured on pages 12 and 13) having a design substantially similar to the design of the golf cart claimed in U.S. Design Patent No. D502,303, including:

a main spine portion having a top end and a bottom end, wherein the bottom end has a slight S-curve (main photograph on page 12);

a front wheel, wherein the front wheel attaches to the bottom end of the main spine portion via a fork that is oriented parallel to the ground (main photograph on page 12 and far right insert photograph at bottom of page 12);

a handle bar portion, wherein the handle bar portion has a bottom end that overlaps with and connects to the top end of the main spine portion, a top end having

an ice-cream cone shape and a padded handle bar, and a score card holder located in the middle of the handle bar portion (main photograph on page 12 and top insert photograph on right side of page 12);

an upper bag bracket, wherein the upper bag bracket has a C-shape and is located just below the top end of the main spine portion (main photograph on page 12);

a lower bag bracket, wherein the lower bag bracket has a C-shape and is located at the bottom end of the main spine portion (main photograph on page 12 and three insert photographs at the bottom of page 12);

two side wheels that are connected to the main spine portion by two side legs that connect to the middle portion of the main spine portion (main photograph on page 12); and

two thin rods that connect from the upper bag bracket to the inside of the two side legs (main photograph on page 12).

Because the teachings of the catalog provide subject matter of the singular claim of U.S. Design Patent No. D502,303 that were not taught in any prior art cited during the prosecution of U.S. Design Patent No. D502,303, the teachings of the catalog raise a substantial new question of patentability.

U.S. Design Patent No. D450,416 (hereinafter "Liao I"), U.S. Design Patent No. D391,731 (hereinafter "Wu") and U.S. Design Patent No. D450,902 (hereinafter "Liao II") were cited in the prosecution of U.S. Design Patent No. D502,303, but were never relied upon in a rejection of the claim.

Liao I discloses a handle bar portion that is not integrally part of the handle bar connecting portion, but is connected to the handle bar connecting portion by aligning the top end of the handle bar connecting portion in the space between the two bottom ends of the handle bar portion and securing the two bottom ends of the handle bar portion to the top end of the handle bar connecting portion (Figures 1, 4, 5 and 7).

Wu discloses a first bracket connecting the bottom end of the handle bar connecting portion to the main spine portion, and a second bracket connecting the top end of the main spine portion to the handle bar connecting portion, wherein the first bracket and the second bracket are separate components, an upper bag bracket is

located between the first and second brackets and a space exists between the first bracket and the upper bag bracket and between the upper bag bracket and the second bracket (Figures 4 and 5).

Wu also discloses an upper bag bracket that has a single piece construction in a C-shape (Figures 1-3 and 6).

Liao II discloses a thin rod that extends between the two side legs of the golf cart, wherein the thin rod attaches to the inside of the two side legs (Figures 1, 3-5 and 7).

Because the teachings of Liao I, Wu and Liao II were not applied in any rejection of the singular claim during the prosecution of U.S. Design Patent No. D502,303, a substantial new question of patentability is raised by Liao I, Wu and Liao II.

Detailed Explanation Under 37 CFR §1.510(b)

- A. The singular claim of U.S. Design Patent No. D502,303 is unpatentable under 35 U.S.C. §103(a) as being obvious over the catalog in view of Liao I, Wu and Liao II.

The following chart details how the singular claim of U.S. Design Patent No. D502,303 is considered unpatentable over the combination of the catalog, Liao I, Wu and Liao II. In order to compare U.S. Design Patent No. D502,303 with the prior art, a textual description of the design features shown in U.S. Design Patent No. D502,303 is presented.

U.S. Design Patent No. D502,303

The Catalog Reference

A golf cart having:

The catalog teaches a golf cart (page 12, main photograph)

A main spine portion having a slight S-curve near the bottom end of the main spine portion

The catalog teaches a main spine portion having a slight S-curve near the bottom end of the main spine portion (page 12, main photograph)

A U-shaped bag rest at the bottom end of the main spine portion which is aligned perpendicular to the main spine portion

The catalog teaches a U-shaped bag rest at the bottom end of the main spine portion that is perpendicular to the main spine portion (page 12, main photograph)

A C-shaped lower bag bracket located near the bottom end of the main spine portion but above the U-shaped bag support and having a strap for securing a golf bag in the lower bag bracket

The catalog teaches a C-shaped lower bag bracket located near the bottom end of the main spine portion but above the U-shaped bag support and having a strap for securing a golf bag in the lower bag bracket (page 12, main photograph)

A C-shaped upper bag bracket located near the top end of the main spine portion and having a strap for securing a golf bag to the upper bag bracket

The catalog teaches a C-shaped upper bag bracket located near the top end of the main spine portion and having a strap for securing a golf bag to the upper bag bracket (page 12, main photograph)

A front tire and a component for securing the front tire to the bottom end of the main spine portion, wherein the component includes a fork into which the tire is inserted and the component is generally aligned parallel to the ground

The catalog teaches a front tire and a component for securing the front tire to the bottom end of the main spine portion, wherein the component includes a fork into which the tire is inserted and the component is generally aligned parallel to the ground (page 12, main photograph and far right insert photograph under main photograph)

A side tire located behind the front tire and to the left of the front tire and a side tire located behind the front tire and to the right of the front tire

The catalog teaches a side tire located behind the front tire and to the left of the front tire and a side tire located behind the front tire and to the right of the front tire (page 12, main photograph)

Two side legs, each connecting one of the side tires to the main spine portion, wherein each connecting leg connects with the main spine portion substantially in the middle of the main spine portion and is connected to the main spine portion via a side leg connecting bracket

The catalog teaches two side legs, each connecting one of the side tires to the main spine portion, wherein each connecting leg connects with the main spine portion substantially in the middle of the main spine portion and is connected to the main spine portion via a side leg connecting bracket (page 12, main photograph)

A thin rod extending from the left side of the upper bag bracket to the back side of the middle portion of the left side leg and a thin rod extending from the right side of the upper bag bracket to the back side of the middle portion of the right side leg

The catalog teaches a thin rod extending from the left side of the upper bag bracket to the back side of the middle portion of the left side leg and a thin rod extending from the right side of the upper bag bracket to the back side of the middle portion of the right side leg (page 12, main photograph)

A handle bar connecting portion that is aligned with the main spine portion, wherein the top end of the main spine portion overlaps with the bottom end of the handle bar connecting portion

The catalog teaches a handle bar connecting portion that is aligned with the main spine portion, wherein the top end of the main spine portion overlaps with the bottom end of the handle bar connecting portion (page 12, main photograph and top insert photograph on right side of page)

A handle bar portion having an "ice cream cone" shape, wherein the top portion of the handle bar portion has a padding and a score card holder is located in the middle of the handle bar portion

The catalog teaches a handle bar portion having an "ice cream cone" shape, wherein the top portion of the handle bar portion has a padding and a score card holder is located in the middle of the handle bar portion (page 12, main photograph)

U.S. Design Patent No. D502,303

The Liao I Reference

A handle bar portion wherein the bottom end comprises a left side bottom end and a right side bottom end with a gap located in between, and wherein the handle bar connecting portion fits in the gap and the handle bar portion is connected to the handle bar connecting portion by securing the left side bottom end and the right side bottom end of the handle bar portion to the handle bar connecting portion

The Liao I reference teaches a handle bar portion wherein the bottom end comprises a left side bottom end and a right side bottom end with a gap located between, and wherein the handle bar connecting portion fits in the gap and the handle bar portion is connected to the handle bar connecting portion by securing the left side bottom end and the right side bottom end of the handle bar portion to the handle bar connecting portion (Figures 1, 3-5 and 7)

One of ordinary skill in the art would have found it obvious to modify the design of the golf cart of the catalog to

substitute the ornamental feature of Liao I described above because the Liao I reference is analogous art to the catalog and the references are so related that the appearance of certain ornamental features in one would suggest the application of those features to the other. Further, it is noted that case law has held that a designer skilled in the art is charged with knowledge of the related art; therefore, the combination of old elements would have been well within the level of ordinary skill

U.S. Design Patent No. D502,303

A first bracket connecting the bottom end of the handle bar connecting portion to the main spine portion, and a second bracket connecting the top end of the main spine portion to the handle bar connecting portion, wherein the first bracket and the second bracket are separate components, the upper bag bracket is located between the first and second brackets and a space exists between the first bracket and the upper bag bracket and between the upper bag bracket and the second bracket

An upper bag bracket that is single, solid piece formed in a C-shape

The Wu Reference

The Wu reference teaches a first bracket connecting the bottom end of the handle bar connecting portion to the main spine portion, and a second bracket connecting the top end of the main spine portion to the handle bar connecting portion, wherein the first bracket and the second bracket are separate components, the upper bag bracket is located between the first and second brackets and a space exists between the first bracket and the upper bag bracket and between the upper bag bracket and the second bracket (Figures 4 and 5)

The Wu reference teaches an upper bag bracket that is a single, solid piece formed in a C-shape (Figures 1-3 and 6)

One of ordinary skill in the art would have found it obvious to modify the design of the golf cart of the catalog to substitute the ornamental features of Wu described above because the Wu reference is analogous art to the catalog and the references are so related that the appearance of certain ornamental features in one would suggest the

application of those features to the other. Further, it is noted that case law has held that a designer skilled in the art is charged with knowledge of the related art; therefore, the combination of old elements would have been well within the level of ordinary skill.

U.S. Design Patent No. D502,303

A thin rod that extends between the two side legs of the golf cart, wherein the thin rod attaches to the inside of the two side legs

The Liao II Reference

The Liao II reference teaches a thin rod that extends between the two side legs of the golf cart, wherein the thin rod attaches to the inside of the two side legs (Figures 1, 3-5 and 7).

One of ordinary skill in the art would have found it obvious to modify the design of the golf cart of the catalog to substitute the ornamental feature of Liao II described above because the Liao II reference is analogous art to the catalog and the references are so related that the appearance of certain ornamental features in one would suggest the application of those features to the other. Further, it is noted that case law has held that a designer skilled in the art is charged with knowledge of the related art; therefore, the combination of old elements would have been well within the level of ordinary skill.


Finally, to the extent that any other minor differences are noted between U.S. Design Patent No. D502,303 and the catalog, it is noted that differences between the claimed design and a primary reference may be held to be minor in nature and unrelated to the overall aesthetic appearance of the design with or without the support of secondary references. *In re Nalbandian*, 661 F.2d 1214, 211 USPQ 782 (CCPA 1981).

Request for Reexamination Of U.S. Design Patent No. D502,303
Request Dated: November 9, 2007

Conclusion

For at least the reasons stated above, it is respectfully requested that substantial new questions of patentability exist with regard to the singular claims of U.S. Design Patent No. D502,303 in view of the prior art references listed above. Accordingly, it is respectfully requested that the Patent Office order and proceed with the reexamination of U.S. Design Patent No. D502,303.

Respectfully submitted,
BACON & THOMAS, PLLC

By: 
Scott A. Brainton
Registration No. 55,020
Attorney for Requestor

625 Slaters Lane, 4th Fl.
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080

SAB
Request for Reexamination.wpd

November 9, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Design Patent No. D502,303

Examiner: Baynham, Holly

Title: Golf Cart

Art Unit: 2911

Inventor: WU, Fang-Li

Issue Date: February 22, 2005

Attorney Docket: WUFA3004RX/REF/SAB

Mail Stop *Ex Parte* Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF SERVICE

Sir:

Pursuant to 37 C.F.R. § 1.33(c) and M.P.E.P § 2220, I hereby certify that a true and correct copy of the REQUEST FOR *EX PARTE* REEXAMINATION OF U.S. DESIGN PATENT NO. D502,303, and all exhibits, prior art references, and this certificate were served on November 9, 2007 on the following attorneys of record in U.S. Design Patent No. D502,303 via first class mail.

Rosenberg, Klein & Lee
3458 Ellicott Center Dr.
Suite 101
Ellicott City, Maryland 21043-4178

Dated this 9th day of November, 2007.



Scott A. Brairton (Reg. No. 55,020)



US00D502303S

(12) **United States Design Patent**
Wu

(10) **Patent No.:** **US D502,303 S**
(45) **Date of Patent:** **** Feb. 22, 2005**

- (54) **GOLF CART**
- (75) **Inventor:** Fang-Li Wu, Tainan (TW)
- (73) **Assignee:** Sports World Enterprises Co., Ltd.,
Tainan Hsien (TW)
- (**) **Term:** 14 Years
- (21) **Appl. No.:** 29/204,999
- (22) **Filed:** May 10, 2004
- (51) **LOC (7) Cl.** 12-02
- (52) **U.S. Cl.** D34/15
- (58) **Field of Search** D34/15; 280/33.991,
280/33.992, 33.993, 33.994, 47.18, 47.26,
47.34

- D450,902 S * 11/2001 Liao D34/15
- D462,152 S * 8/2002 Liao D34/15
- D493,018 S * 7/2004 Liao D34/15

* cited by examiner

Primary Examiner—Holly Baynham
(74) *Attorney, Agent, or Firm*—Rosenberg, Klein & Lee

(57) **CLAIM**

The ornamental design for a golf cart, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a golf cart showing my new design;
FIG. 2 is a front elevational view thereof;
FIG. 3 is a rear elevational view thereof;
FIG. 4 is a left side elevational view thereof;
FIG. 5 is a right side elevational view thereof;
FIG. 6 is a top plan view thereof; and,
FIG. 7 is a bottom plan view thereof.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D292,039 S * 9/1987 Moore D34/15
- D391,731 S * 3/1998 Wu D34/15
- D450,416 S * 11/2001 Liao D34/15

1 Claim, 4 Drawing Sheets





FIG. 1

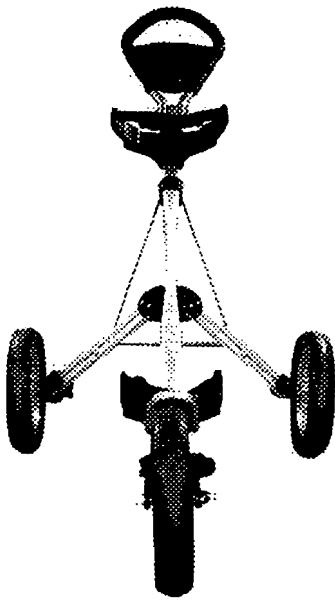


FIG. 2

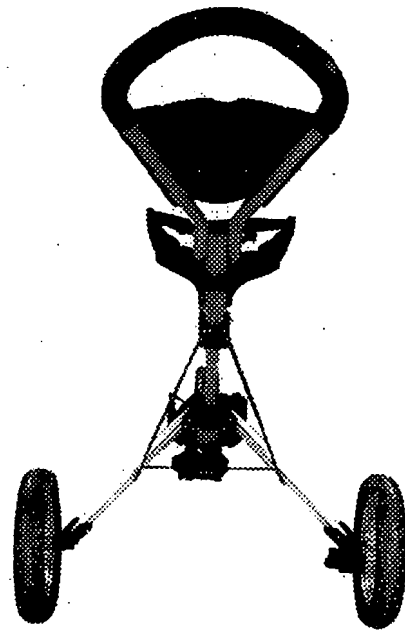


FIG. 3

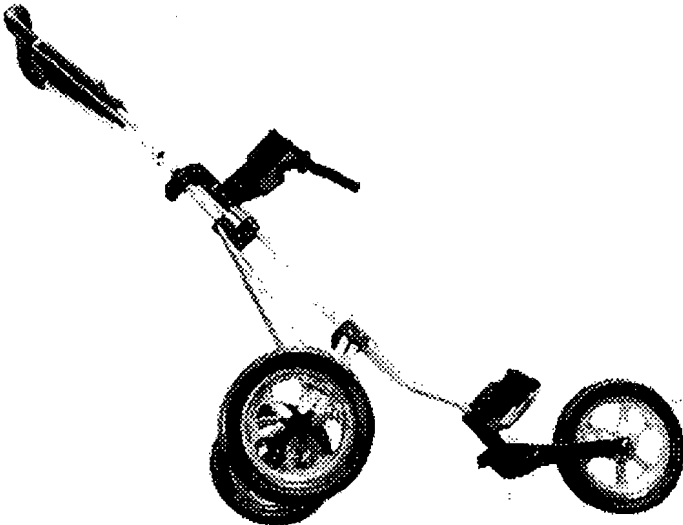


FIG. 4



FIG. 5

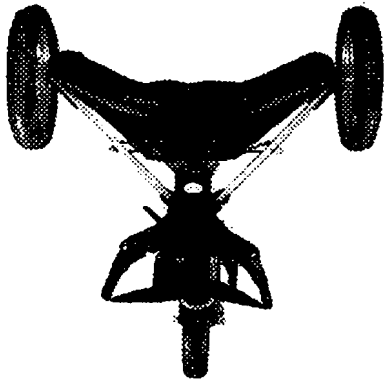


FIG. 6

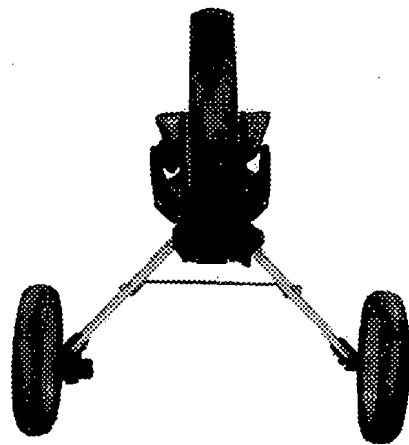


FIG. 7