The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LARRY B. GRAY and RICHARD J. LANIGAN

Appeal No. 2003-1725
Application No. 09/357,645

ON BRIEF

Before OWENS, KRATZ and PAWLIKOWSKI, Administrative Patent Judges.
KRATZ, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 1-9, 12-28, and 32. Claims 10, 11 and 29-31, which are all of the other claims pending in this application, stand withdrawn from further consideration by the examiner as drawn to non-elected species.

BACKGROUND

Appellants' invention relates to a tube occluder and a method for occluding collapsible tubes. An understanding of the invention can be derived from a reading of exemplary claims 1 and 12, which are reproduced below.

> 1. An occluder for occluding at least one collapsible tube comprising:
> an occluding member; and
> a force actuator constructed and positioned to bend the occluding member from a first configuration to a second configuration, the occluding member in the first configuration being essentially non-compliant to forces applied to the occluding member along at least one direction and the occluding member in the second configuration being compliant with respect to said forces.

> 12. A method for occluding at least one collapsible tube, the method comprising:
> applying a force to bend an occluding member in order to open said collapsible tube to enable fluid flow therethrough; and
> releasing said force to relax the occluding member and occlude the collapsible tube.

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Payne et al. (Payne)	5,441,231	Aug. 15, 1995

Claims 1-9, 12-28 and 32 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicants regard as invention. Claims 1-7, 12-28 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Payne.

We refer to the briefs and to the answer for a complete exposition of the opposing viewpoints expressed by appellants and the examiner concerning the issues before us on this appeal.

OPINION

We have carefully considered all of the arguments advanced by appellants and the examiner and have determined that the examiner's § 112, second paragraph rejection is not sustainable. Accordingly, we reverse the aforementioned rejection of the appealed claims. With regard to the examiner's § 103(a) rejection, we affirm as to claims 1-4, 6, 7, and 22-27; and, we reverse as to claims 5, 12-21, 28 and 32. Our reasons follow.

Rejection under 35 U.S.C. § 112, second paragraph

The examiner has expressed a number of concerns with the language of the appealed claims. However, we agree with appellants' viewpoint on this matter since the examiner has not established how any of the appealed claims run afoul of the provisions of the second paragraph of 35 U.S.C. § 112.

The relevant inquiry under 35 U.S.C. § 112, second paragraph, is whether the claim language, as it would have been

interpreted by one of ordinary skill in the art in light of appellants' specification and the prior art, sets out and circumscribes a particular area with a reasonable degree of precision and particularity. See In re Moore, 439 F.2d 1232, 1235, 169 USPQ 236, 238 (CCPA 1971).

Preambles

The examiner maintains that "[t}he preambles of the claims do not appear to be commensurate in scope with the body of the claims" (answer, page 3). This is so since the preambles are directed to an occluder or method of occluding whereas the bodies include recitations directed to elements, such as a pumping cartridge or pump drive system, that are not considered part of an occluder or method of occluding from the perspective of the examiner.

We disagree with those assertions of the examiner. Of the 27 claims subjected to this ground of rejection as reproduced in appendix A of the supplemental brief, we have identified dependent claim 16 as the only claim that recites a pumping cartridge. None of the appealed claims calls for a pump drive system. On that basis alone, the examiner has not even specifically identified any problem with, let alone carried the burden of establishing the indefiniteness of, any of appealed

claims 1-9, 12-15, 17-28 and 32 based on a preamble-body incongruity.

As for claim 16, the examiner has not fairly established that the claim body recitation of the coupling of a pumping cartridge including the collapsible tube to a component including the occluding member is incompatible with the claim preamble in a manner so as to render the claimed subject matter indefinite. For reasons as explained by appellants at page 8 of the substitute brief, which reasons are incorporated by reference at page 7 of the supplemental brief, the examiner has not shown that the method step recited in claim 16 would not be readily understood in the context of an occlusion method, when read in light of the specification from the viewpoint of one of ordinary skill in the art.

Omission of Occluder Blade

The examiner argues that claims 1-7, 12-28 and 32 are incomplete in that an occluder blade, an alleged essential element, is not required. However, as correctly pointed out by appellants (substitute brief, pages 8-10 and reply brief, pages 4-6)[1], the appealed claims are drawn to an occluder and an

[1] Incorporated by reference at page 7 of the supplemental brief.

occlusion method in which an occluder blade has not been established as being essential by the examiner's assertions. Certainly, the recitation of an occluding member in the claims has not been shown by the examiner to be indefinite. In this regard, breadth does not equate with indefiniteness. See In re Gardner, 427 F.2d 786, 788, 166 USPQ 138, 140 (CCPA 1970). Consequently, we will not sustain the examiner's § 112, second paragraph rejection on the basis of an omitted occluder blade.

Forces

The examiner questions whether the "forces" referred to in line 5 of claim 1 are forces generated by a recited force actuator or not. The examiner goes on to question whether the reference to "a force" in claim 2 and claim 7 represent a partial double inclusion. The examiner also maintains that "the force" of claim 7 may refer to more than one of the previously recited forces and notes that a "bending force" is recited in claim 8. Based on those various recitations of forces and considering appellants' disclosure, the examiner concludes that those "force" recitations are indefinite. The examiner asserts that recitations of forces in claims 17-23 are vague and indefinite for similar reasons.

Again, the examiner appears to have confused breadth with indefiniteness. As aptly stated by appellants in referring to claim 1 (supplemental brief, page 9), “[t]he forces referred to in the claim can be any force that may be applied to the occluding member, from essentially any source.” Moreover, as correctly noted by appellants (supplemental brief, pages 9 - 11 and reply brief, pages 6-9), the force referred to in claim 7 is clearly a force applied by the force actuator and the bending force of claim 8 is a particular force that may be applied by the force actuator and is described in terms of the result achieved by the application of that force. It follows that we will not sustain the examiner’s § 112, second paragraph rejection alleging indefiniteness based on the force recitations.

Collapsible Tube

Regarding claim 5, the examiner asserts that the recitation therein of “a tube” “appears to be at least a partial double inclusion of `at least one collapsible tube’ in claim 1.” (answer, page 5). Additionally, the examiner argues that “the collapsible tube” of claim 8 raises an issue as to which “at least one collapsible tube” it is referring to. The examiner also suggests that “[s]imilar vagueness exists in claims 12-24, 26-28, and 32".

Here, the examiner has not fairly established that the recitations referred to result in a violation of the definiteness requirements of § 112, second paragraph for substantially the reasons as stated by appellants (substitute brief, pages 13-16. In that regard, we note that the examiner has the burden of presenting a prima facie case of indefiniteness. This, the examiner has not accomplished with the questions and conclusions presented. Those comments merely suggest that the examiner questions the claim meaning without providing the requisite detailed analysis establishing that the metes and bounds of the so rejected claims are not ascertainable.

Alleged Relative Terms

The examiner opines that the terms, “essentially non-compliant,” “essentially perpendicular” and “substantially linear” are indefinite. It is apparently the examiner’s view that the use of such terms without the provision of a standard or definition for those terms in the specification results in claims of unascertainable scope, especially in light of alleged “ill-defined forces” in combination with those terms.

We do not subscribe to the examiner’s viewpoint. Here, the examiner has not fairly carried the burden of establishing that the claim language, as it would have been interpreted by one of

ordinary skill in the art in light of appellants' specification and the prior art would have been indefinite within the meaning of § 112, second paragraph. In this regard and for reasons stated above and in the briefs, we do not find that the claims include ill-defined forces as alleged by the examiner. Thus, to the extent that the examiner is relying on alleged ill-defined forces to buttress the examiner's position, such reliance is not persuasive. Moreover, appellants have furnished detailed arguments and references to their specification (supplemental brief, pages 15-20) explaining why one of ordinary skill in the art would have been reasonably apprised of the claim scope. The examiner's conclusary comment at page 13 of the answer does not serve to rebut those arguments. The examiner simply has not satisfactorily explained why one of ordinary skill in the art would not find those "relative" terms reasonably precise as they relate to the properties of the occluding member, the construction and positioning of the force actuator relative to the occluding member and the orientation of the occluding member relative to the wall of a tube to be occluded. Certainly, the examiner has not furnished any evidence indicating that more precision than the language employed in the claims is necessary to particularly point out and distinctly claim the subject matter

appellants regard as their invention. Appellants are not required to employ claim terms that the examiner prefers.

In sum, the examiner has not explained why the claim language, as it would have been interpreted by one of ordinary skill in the art in light of appellants' specification and the prior art, fails to set out and circumscribe a particular area with a reasonable degree of precision and particularity. Consequently, we reverse the rejection under 35 U.S.C. § 112, second paragraph.

Rejection under 35 U.S.C. § 103(a)[2]

Appellants have identified several groups of claims at pages 5-7 of the supplemental brief, the portion of the substitute brief incorporated by reference therein, and the reply brief,

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[2] We confine ourselves to the evidence of obviousness before us that is properly cited and applied by the examiner; that is, Payne (U.S. Patent No. 5,441,231). In this regard, the examiner's spurious reference to "any tube occluder on earth" (answer, page 7) is not taken as an identification with any particularity of any reference that is actually applied by the examiner. In fact, the only reference listed at page 3 of the answer and the only reference identified in the statement of the rejection is Payne. Such a reference to all tube occluders in an examiner's answer, without including proper citations, especially in the statement of the rejection, serves only to confuse the issues on appeal and is a practice which cannot be condoned. See In re Hoch, 166 USPQ 406, footnote 3 (CCPA 1970). Nonetheless, we consider that statement of the examiner to represent harmless error in so far as our consideration of the examiner's § 103(a) rejection over Payne is concerned.

pages 10-20. We start with the Group IV claims comprising claims 1-4, 6, 7 and 25.

Claims 1-4, 6, 7 and 25

Since claims 1-4, 6, 7 and 25 have been grouped as standing or falling together, we select independent claim 1 as the representative claim on which we shall decide this appeal with respect to this grouping of claims. See 37 CFR § 1.192(c)(7) (2001).

Claim 1 is directed to a flexible tube occluder comprising an occluding member and a force actuator that is arranged to bend the occluding member from a first configuration to a second configuration. A tube occluder encompassed by representative claim 1 is depicted in appellants' drawing figures 12(e) and 12(f). As appellants note at page 2 of the supplemental brief, element or spring plate 1152 depicted in figures 12(e) and 12(f) is an example of an occluding member included within the scope of representative claim 1. Furthermore, as set forth at page 3 of the supplemental brief, inflatable bladder 1182 as shown in those same drawing figures is a force actuator within the scope of representative claim 1.

The occluding member of appealed claim 1 is required to have the property of being essentially non-compliant to forces applied

thereto along at least one direction while in a first configuration. In a second configuration, the occluding member is required to be compliant with respect to those forces. As acknowledged by appellants at page 9 of the supplemental brief, "[t]he 'forces' referred to in the claim can be any force that may be applied to the occluding member, from essentially any source."

The examiner has determined that Payne discloses an occluder for occluding a collapsible tube that includes a spring plate (28 or 29) that corresponds to appellants' occluding member and an inflatable bladder (19 or 20) that corresponds to appellants' force actuator as recited in representative claim 1. In this regard, we note that in a first configuration as depicted in figure 1 of Payne, an occluding member, such as spring plate (29) of Payne, includes a portion that runs substantially parallel with reinforcing member (26) and includes an opening for nozzle (22) therein. Based on that configuration and construction, the spring plate (29) of Payne would possess the property of being essentially non-compliant to a force applied in the direction downwardly parallel to and directly against the upper end of the portion of the spring plate that runs substantially parallel with reinforcing member (26) at the location that includes an opening

for nozzle 22 at least to the extent that force is not great enough to overcome the longitudinal stiffness of that portion of the spring plate in that relaxed configuration.[3]

Moreover, we note that in a second configuration as depicted in figure 2 of Payne, the spring plate (29) of Payne would be compliant with such a force, as described above. This is so since such a force has a component that acts in a downward direction perpendicular to the substantially horizontal longitudinal portion of the spring plate (29) as shown in the figure 2 configuration of Payne. Significantly, appellants have acknowledged that the spring plate 29 would be compliant to such a force in the figure 2 configuration. See page 11 of the reply brief, wherein appellants state that:

> In Payne, when spring plates **28** and **29** are in the closed configuration (illustrated in Fig. 2), they are *not* non-compliant to forces applied by the bladders or tubes, or any other forces. To the contrary, the spring plates only maintain this configuration *because they are being held in a non-equilibrium configuration, by the forces applied by the bladders.* The spring plates themselves, when in the closed configuration, are not only compliant to any forces tending to bend

[3] We note that appellants acknowledge that the curved spring plate of Payne in the figure 1 configuration possesses an elastic bending stiffness that would resist the application of a force thereto. See page 15 of the substitute brief, which portion of the substitute brief is incorporated by reference into the supplemental brief, at page 20 thereof.

> them but, in fact, are configured to actually bend spontaneously such that they return automatically to the open configuration illustrated in Fig. 1 on release of the force of the bladders (i.e. they fail open)(e.g., see Payne, at column 1, lines 51-56 and at column 2, line 65-column 3, line 1).

Furthermore, appellants acknowledge that the examiner has correctly identified the spring plate (28 or 29) of Payne as an occluding member. See page 10 of the reply brief. In light of the above, appellants' arguments are not persuasive and we find ourselves in agreement with the examiner's obviousness conclusion. This is so since "anticipation is the epitome of obviousness," Jones v. Hardy, 727 F.2d 1524, 1529, 220 USPQ 1021, 1025 (Fed. Cir. 1984). It follows that on this record, we will sustain the examiner's § 103(a) rejection of representative claim 1 and dependent claims 2-4, 6, 7 and 25, which stand or fall together therewith.

Claim 5

Our disposition of the examiner's § 103(a) rejection of separately grouped and argued dependent claim 5 is another matter. Dependent claim 5 additionally specifies that the "occluding member is oriented with a longitudinally axis that is essentially perpendicular to a wall of a tube to be occluded." The examiner takes the position that (answer, page 7):

> Payne et al. disclose at least two walls of the tube that are "essentially perpendicular" to the longitudinal axis of the occluding member (spring plate 28): the flange wall near ref. no. 8 in Figs. 1 and 2 and also the portions of the tube near the blade (15) in the closed configuration (Fig. 2). The disclosure of Payne et al. anticipates claim 5.

On the other hand, appellants (reply brief, page 13) argue that:

> To the extent that the flanged end of Payne's tubing or the constricted portion of the wall adjacent the occluder blades could even be considered to be "a wall" of the tubing, the clear language of the claim limitation in question excludes such a wall from the scope of the claim. Claim 5 does not recite that any conceivable wall, or portion thereof, of the tube is oriented perpendicular to the occluding member longitudinal axis - to the contrary, the claim language points to a very specific wall - namely, that "of a tube to be occluded." The collapsed region of the tube wall in Payne pointed out in the Answer is excluded because this is not a wall of a tube "to be occluded," but is rather a wall of a tube <u>already occluded</u> (to the extent that this portion of a wall can fairly be considered a wall on its own at all). The flange end surface is also excluded because this "wall" can hardly be considered a wall "to be occluded" by the occluding member, since it is not even remotely in the vicinity of the occluding blades of Payne, which contact, deform and occlude the cylinder perimeter wall of the tube, thereby blocking flow.

We agree with appellants viewpoint since the plain language of claim 5 precludes consideration of either of the flange wall (unnumbered flange located at the left-side or right-side ends of the tube depicted in the figures of Payne) or the portions of the

tube (valve sleeve 10) near the jaws (15 or 16) of the occluded tube of Figure 2 of Payne as being “a wall of a tube to be occluded.” Moreover, to the extent the examiner is maintaining that the jaws (15 or 16) represent the structure of Payne that corresponds to appellants’ claimed occluding member in applying Payne to appealed claim 5, the examiner has not fairly explained how the jaws of Payne meet the claim 1 requirement of a force actuator that is constructed and positioned to bend that occluding member. Consequently, we will not sustain the examiner’s § 103(a) rejection of claim 5.

Claims 12-19

We will not sustain the examiner’s § 103(a) rejection of separately grouped (Group VII) and argued claims 12-19 on this record.

All of method claims 12-16 require at least two steps: (1) the application of a force to bend an occluding member to open a collapsible tube; and (2) the release of that force to relax the occluding member so as to occlude the collapsible tube.

The examiner, without pointing to any specific disclosure other than the figures of Payne, argues that “the method of using the occluder of Payne et al. comprises applying a force to bend the occluding member (i.e., the spring plate) to the open

configuration shown in Fig. 1, releasing this force unbends the spring plate and thus closes the valve as shown in Fig. 2." See page 8 of the answer.

As correctly pointed out by appellants (reply brief, page 14), "Payne applies a force to straighten the occluding member *to occlude* the collapsible tube and this same force is released to relax the occluding member to open the tube." We refer the examiner to column 1, lines 51-56 and column 2, line 65 through column 3, line 13 of Payne.

As for apparatus claims 17-19, we note that the examiner has not separately addressed those claims in the answer. In this regard, we note that each of the apparatus claims 17-19 require "a force actuator constructed and positioned to apply a force to the occluding member to bend the occluding member from an occluding configuration to an open configuration" (claim 17). The examiner has not established that the force actuator (20) of Payne is constructed and configured in such a fashion.

Thus, we reverse the examiner's § 103(a) rejection of claims 12-19, on this record.

Claims 20, 21 and 28

Each of claims 20 and 21 (Group VIII) require an occluder including an occluding member having a substantially linear

longitudinal axis in a first configuration and "a force actuator that is constructed and positioned to apply a force to the occluding member to bend the occluding member into a second configuration having a non-linear longitudinal axis" (claim 20). Claim 28 requires that the occluder includes "a force actuator constructed and positioned to disrupt column stability of the occluding member and bend the occluding member."

According to the examiner (answer, page 8):

> "Payne clearly disclose that the occluder member (spring plate) has a first configuration with a substantially linear longitudinal axis (see Fig. 2). Forces are applied to bend the spring plate to the configuration shown in Fig. 1.

The examiner does not separately address claim 28 or explain where or how Payne disclose the application of a force from a force actuator as claimed.

Appellants argue (substitute appeal brief, page 18 and reply brief, page 16) that neither of the bladders (force actuators) of Payne bend the corresponding occluding member (spring plate) into a second non-linear configuration from a configuration having a substantially linear axis. In this regard, we agree with appellants in that the examiner has not discharged the burden of establishing, prima facie, that either bladder of Payne provides such a force to bend the corresponding spring plate from a

configuration having a substantially linear axis or a force to disrupt column stability of an occluding member (claim 28). The mere assertion of the examiner is not enough.

Accordingly, we reverse the examiner's § 103(a) rejection of claims 20, 21 and 28, on this record.

Claims 22 and 23

Claim 22 requires an occluder including an occluding member and "a force actuator constructed and positioned to apply a force to the occluding member in a direction having a component parallel to a longitudinal axis of the collapsible tube to bend the collapsible tube."

The examiner basically maintains that the bladder (force actuator) of Payne would apply a force having a component that is parallel to the tube axis since the fluid pressure introduced to expand the bladder would have force components in essentially all directions in that the pressurizing fluid would push the bladder in every direction.

Appellants (reply brief, page 17) agree with the examiner in so far as acknowledging that:

> upon the introduction of air into the bladders of Payne, the force generated within the bladders tending to expand them will be isotropic and will act on the inner surface of the bladder in all directions. Indeed, upon introducing air into the bladders of the

> occluder in the open configuration, shown in Fig. 1, the force applied to spring plates by the air pressure in the bladder, during expansion to the configuration illustrated in Fig. 2, will have a component thereof oriented parallel to longitudinal axis of the tubing being occluded.

Where appellants disagree with the examiner is in appellants' position that claim 22 additionally requires that the component of the force that is parallel to the longitudinal axis is applied by the force actuator to bend the occluding member. In appellants' view, that second requirement of claim 22 is not taught in Payne.

We are not persuaded by that argument of appellants. In this regard, we observe that in determining the patentability of claims, the Patent and Trademark Office (PTO) gives claim language its "broadest reasonable interpretation" consistent with the specification and claims. In re Morris, 127 F.3d 1048, 1054, 44 USPQ2d 1023, 1027 (Fed. Cir. 1997) (citations omitted). Here, we determine that the language of claim 22 is open to another reasonable and broader interpretation as to the applied force bending the occluding member. The language "apply a force to the occluding member in a direction having a component parallel to a longitudinal axis of the collapsible tube to bend the occluding member" is consistent with the force being applied in a direction

to bend the occluding member as taught by Payne. The component of the applied bending force that is parallel to a longitudinal axis of the collapsible tube need not be the portion of the applied force that bends the tube based on that claim language.

We note that appellants have stated that claims 22 and 23 stand or fall together and we select claim 22 as the representative claim. See page 5 of the substitute appeal brief, which was incorporated by reference into the supplemental appeal brief at page 5 thereof. Consequently, we affirm the examiner's § 103(a) rejection of representative claim 22 and claim 23 for the reasons stated above.

Claims 24, 26 and 27

Appellants have stated that claims 24, 26 and 27 stand or fall together for purposes of our consideration of the examiner's § 103(a) rejection and we select claim 24 as the representative claim as to this grouping of claims. See page 5 of the substitute appeal brief, which was incorporated by reference into the supplemental appeal brief at page 5 thereof. All of claims 24, 26 and 27 require an occluder comprising "one occluding member, and a force actuator constructed and positioned to bend the occluding member" (claim 24).

Appellants argue for the patentability of claims 24, 26 and 27 solely on the basis that independent claim 24 limits the occluder to only one occluding member, which is not taught by Payne since Payne employs a pair of occluding members. See, e.g., pages 18 and 19 of the reply brief. We are not persuaded by that argument.

As correctly noted by the examiner, the claim language, including the transitional phrase “comprising,” leaves representative claim 24 open to additional occluding members. It is well settled that the term "comprising" in a claim permits inclusion of other non-recited materials. In re Baxter, 656 F.2d 679, 686, 210 USPQ 795, 802 (CCPA 1981). Here, appellants are seemingly of the opinion that the term “one occluding member” nevertheless limits the claimed device to only one occluding member. We are not inclined to read that additional limitation of “only” into representative claim 24. On this record, it follows that we will sustain the examiner’s § 103(a) rejection of claims 24, 26 and 27.

Claim 32

Claim 32 requires that the occluding member “is most resistant to forces applied from the tube to change the occluding

member from the occluding configuration to the open configuration when the occluding member is in the occluding configuration." The examiner asserts that Payne "clearly discloses this" (answer, page 8) without specifying where in Payne that disclosure is found. Appellants argue that Payne's occluding member is not resistant (or most resistant) to forces applied from the tube when in the occluding configuration since the spring plates 28 and 29 (occluding members) of Payne push against the inflated bladder toward an open configuration. See page 21 of the substitute brief, which is incorporated by reference into the supplemental brief at page 20 thereof. In response to that argument, the examiner asserts that Payne "does not disclose a check valve" (answer, page 12). Like appellants (reply brief, page 20), we do not find the examiner's position persuasive. In this regard, the examiner has the burden of establishing a prima facie case of obviousness. Here, the examiner falls significantly short of so doing since the examiner has not fairly explained, nor is it readily apparent to us, why the spring plates (occluding members) of Payne are of a construction that is most resistant to forces from the tube when the spring plates are in the occluding configuration of figure 2 rather than some other configuration, such as any other position from the already open

configuration of figure 1 to the occluding configuration of figure 2.

Consequently, we reverse the examiner's § 103(a) rejection of claim 32.

CONCLUSION

The decision of the examiner to reject claims 1-9, 12-28 and 32 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention is reversed. The decision of the examiner to reject claims 5, 12-21, 28 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Payne is reversed. The decision of the examiner to reject claims 1-4, 6, 7 and 22-27 under 35 U.S.C. § 103(a) as being unpatentable over Payne is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED-IN PART

TERRY J. OWENS Administrative Patent Judge	)	
PETER F. KRATZ Administrative Patent Judge	)	BOARD OF PATENT APPEALS AND INTERFERENCES
BEVERLY A. PAWLIKOWSKI Administrative Patent Judge	)	

PFK/sld

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