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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/788,607	08/07/2021	Henry Viet Pham		1396

7590 02/23/2022
 Henry Viet Pham
 U.S. Patent
 Anaheim, CA 92806

EXAMINER

MATHARU, MANPREET S

ART UNIT	PAPER NUMBER
2922	

MAIL DATE	DELIVERY MODE
02/23/2022	PAPER

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

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
29/788,807	08/07/2021	Pham, Henry Vlet	

Henry Viet Pham 50711 Anaheim, CA 92806	EXAMINER	
	CLIFF CONGO	
	ART UNIT	PAPER
	OPET	20220222

DATE MAILED: _____

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

Commissioner for Patents

This application filed on 7/1/21 was filed as an application for a design patent. Based on the application papers, (e.g., specification, claims, abstract, and/or drawings), however, it appears that a utility application may have been intended. FOR MORE INFORMATION, SEE ATTACHED SHEET.

If applicant intended to file a design application, applicant should notify the Office of Petitions and the application will continue to be processed as a design application. If applicant intended to file a utility patent application instead of a design patent application, applicant is given TWO (2) MONTHS from the date of this notice to file a petition under 37 CFR 1.182 requesting the USPTO to convert the above-identified application to a utility patent application. A petition under 37 CFR 1.182 requesting the Office to convert the application to a utility application must be accompanied by: (1) a statement that identifies that the design patent application as filed was intended to be filed as a utility patent application; (2) a request to convert the design patent application to a utility patent application; (3) other available information and/or evidence showing support that applicant intended to file a utility patent application; and (4) the petition fee under 37 CFR 1.17(f). If the petition under 37 CFR 1.182 is granted, additional fees may be required as some of the fees for design and utility applications are different.

Failure to file a petition under 37 CFR 1.182 during the TWO (2) MONTH time period will be treated as confirmation that applicant intended to file a design patent application and will result in the above-identified application being examined as a design patent application. NO EXTENSION OF TIME MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b)

/Cliff Congo/
Attorney Advisor - Office of Petitions - 571-272-3207

Information Regarding Design Patent Applications and Utility Patent Applications

- Utility and design patents afford legally separate protection. In general terms, a utility patent protects the way an article is used and works (35 U.S.C. 101). A design patent protects the way an article looks (35 U.S.C. 171). For a discussion of the distinction between a utility patent and a design patent, see Manual of Patent Examining Procedure (MPEP), Section 1502.01 or <https://www.uspto.gov/web/offices/pac/mppep/s1502.html>
- For more information on filing design and utility patent applications, see <https://www.uspto.gov/patents-getting-started/patent-basics/types-patent-applications/design-patent-application-guide> and <https://www.uspto.gov/patents-getting-started/patent-basics/types-patent-applications/nonprovisional-utility-patent>.
- Note that some fees for design and utility applications are different. For information on the fees for design and utility patent applications, see 37 CFR 1.16 and consult the current fee schedule at <https://www.uspto.gov/learning-and-resources/fees-and-payment/uspto-fee-schedule>.
- For more information on the requirements for a petition under 37 CFR 1.182, see <https://www.uspto.gov/patents-application-process/petitions/16-matters-not-specifically-provided>.
- If applicable, for more information on pro se assistance, please refer to: <https://www.uspto.gov/patents-getting-started/using-legal-services/pro-se-assistance-program>

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¹ www.uspto.gov/ebc/efs_help.html (For help using EFS-Web, call the Patent Electronic Business Center at 866-217-9197.)