TAB 8

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

U.S.

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/192,393	11/13/98	MCCULLOCH	J 2626-012

EXAMINER

1M22/0527

RHODES COATS & BENNETT
PO BOX 2974
GREENSBORO NC 27402

EINSMANN, M

ART UNIT	PAPER NUMBER
1751	8

DATE MAILED: 05/27/99

NOTICE OF ALLOWABILITY

PART I.

1. ☑ This communication is responsive to amendment of 5.20.99.
2. ☑ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☑ The allowed claims are 1-9, 12-13, 15-20, 26-27.
4. ☐ The drawings filed on _____ are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [_] been received. [_] not been received. [ ] been filed in parent application Serial No. _____ filed on _____.
6. ☐ Note the attached Examiner's Amendment.
7. ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☑ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☑ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☑ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
   a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto ~~or to Paper No. _____~~. CORRECTION IS REQUIRED. PTO-948's
   b. ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
   c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
   d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- _ Examiner's Amendment
- _ Examiner Interview Summary Record, PTOL-413
- ✓ Reasons for Allowance
- ✓ Notice of References Cited, PTO-892
- ✓ Information Disclosure Citation, PTO-1449
- _ Notice of Informal Application, PTO-152
- ✓ Notice re Patent Drawings, PTO-948 5/18 5/20
- _ Listing of Bonded Draftsmen
- _ Other

Margaret Einsmann

MARGARET EINSMANN
PRIMARY EXAMINER
GROUP 1100

PTOL-37 (REV. 4-89) *

USCOMM-DC 89-3789

IFC-02507

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

In the parent cases, the claims were rejected over Rejto or Masaki in view of Smith et al. The two primary references teach screen printed flock textile materials comprising thermoplastic fibers which have been printed with sublimable disperse dyes and the method of producing such. They do not teach pigmenting the adhesive used to adhere the flocks to the base. Smith suggest the addition of a small amount of pigment to the adhesive used to adhere flock to substrate, but he does not disclose transfer printing flock with disperse dyes. Orton, column 1, discloses the problem of grinning through which applicant has solved by the use of dark pigmented adhesive. Bernard discloses in column 1 lines 30-46 that the process of transfer printing flocked fabric is inherently incapable of dyeing the substrate. . He solves the problem by adding a heat-sublimable dye to the adhesive. Thus there are two statements of the prior art reinforcing applicant's position that a dark adhesive is necessary to reduce grin through Applicant has solved the same problem in a manner not taught by the prior art; that is by adding a pigment to the adhesive. The pigment is not analogous to a sublimable dye of Bernard. In applicant's process, the heat sublimable dye is applied only to the flock, and it does not color the adhesive or the substrate. Applicant has presented a declaration showing that the use of a dark adhesive results in

1) improved lightfastness and

2) reduced crocking

The combined declaration is persuasive to overcome the rejection of record as the improvements were neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Margaret Einsmann whose telephone number is (703) 308-3826. The examiner can normally be reached on Monday to Thursday and alternate Fridays from 7:00 A.M. to 4:30 P.M. The fax phone number for this Technology Center is (703) 305-3599

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Margaret Einsmann 5/21/99

MARGARET EINSMANN

PRIMARY EXAMINER 1751

UNITED STAT DEPARTMENT OF COMMERCE
Patent and Tr mark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

[illegible]
[illegible]
[illegible]

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
First Named Applicant [illegible]			[illegible]	0 DAYS.

TITLE OF INVENTION [illegible]

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

PTOL-85 (REV. 10-96) Approved for use through 06/30/99. (0651-0033)

IFC-02510

Notice of References Cited	Application No. 09/192393	Applicant(s) McCullough	
	Examiner Einsman	Group Art Unit 1751	Page 1 of 1

U.S. PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
	A	4,294577	10/81	Bernard		
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
	N						
	O						
	P						
	Q						
	R						
	S						
	T						

NON-PATENT DOCUMENTS

*		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	U		
	V		
	W		
	X	M Einsman	5-21-99

[illegible] action
([illegible])

U.S. Patent and Trademark Office
PTO-892 (Rev. 9-93)

Part of Paper No. _____

*U.S. GPO: 1997-417-361/02707

IFC-02511

Form PTO 948 (Rev. 8-98) U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office Application No. 09/192,393

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 11/13/98 are:

A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.

B. ☑ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be sumitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color.
   - ___ Color drawings are not acceptable until petiton is granted. Fig(s) ___
   - ___ Pencil and non black ink not permitted. Fig(s) ___
2. PHOTOGRAPHS. 37 CFR 1.84 (b)
   - ___ 1 full-tone set is required. Fig(s) ___
   - ___ Photographs not properly mounted (must use brystol board or photographic double-weight paper). Fig(s) ___
   - ___ Poor quality (half-tone). Fig(s) ___
3. TYPE OF PAPER. 37 CFR 1.84(e)
   - ___ Paper not flexible, strong, white, and durable. Fig(s) ___
   - ___ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) ___
   - ___ Mylar, velum paper is not acceptable (too thin). Fig(s) ___
4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
   - ___ 21.0 cm by 29.7 cm (DIN size A4)
   - ___ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)
   - ___ All drawing sheets not the same size. Sheet(s) ___
   - ___ Drawings sheets not an acceptable size. Fig(s) ___
5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

   Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm SIZE: A4 Size

   Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: 8 1/2 x 11

   Margins not acceptable. Fig(s) ___

   ___ Top (T) ___ Left (L)

   ___ Right (R) ___ Bottom (B)
6. VIEWS. 37 CFR 1.84(h)

   REMINDER: Specification may require revision to correspond to drawing changes.

   Partial views. 37 CFR 1.84(h)(2)
   - ___ Brackets needed to show figure as one entity. Fig(s) ___
   - ___ Views not labeled separately or properly. Fig(s) ___
   - ___ Enlarged view not labeled separately or properly. Fig(s) ___
7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)
   - ___ Hatching not indicated for sectional portions of an object. Fig(s) ___
   - ___ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) ___
8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
   - ___ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) ___
9. SCALE. 37 CFR 1.84(k)
   - ___ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) ___
10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
    - ✓ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-2
11. SHADING. 37 CFR 1.84(m)
    - ___ Solid black areas pale. Fig(s) ___
    - ___ Solid black shading not permitted. Fig(s) ___
    - ___ Shade lines, pale, rough and blurred. Fig(s) ___
12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)
    - ___ Numbers and reference characters not plain and legible. Fig(s) ___
    - ___ Figure legends are poor. Fig(s) ___
    - ___ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) ___
    - ___ English alphabet not used. 37 CFR 1.84(p)(2) Figs ___
    - ___ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) ___
13. LEAD LINES. 37 CFR 1.84(q)
    - ___ Lead lines cross each other. Fig(s) ___
    - ___ Lead lines missing. Fig(s) ___
14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)
    - ___ Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) ___
15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
    - ___ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) ___
16. CORRECTIONS. 37 CFR 1.84(w)
    - ___ Corrections not made from prior PTO-948 dated ___
17. DESIGN DRAWINGS. 37 CFR 1.152
    - ___ Surface shading shown not appropriate. Fig(s) ___
    - ___ Solid black shading not used for color contrast. Fig(s) ___

COMMENTS

REVIEWER LAM DATE 05/18/99 TELEPHONE NO. (703) 308-0366

ATTACHMENT TO PAPER NO. ___

IFC-02512