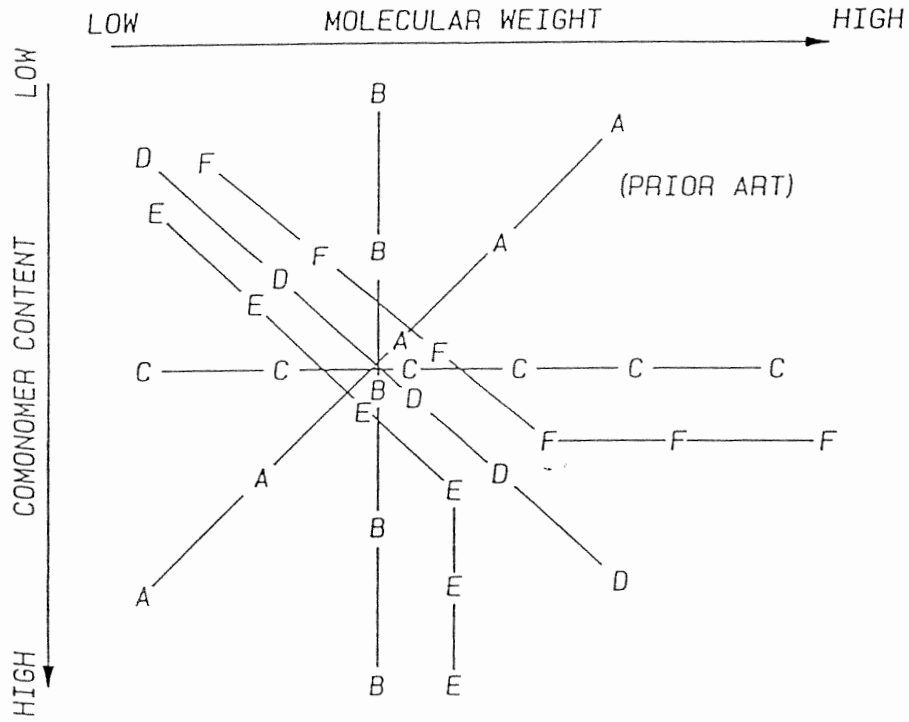
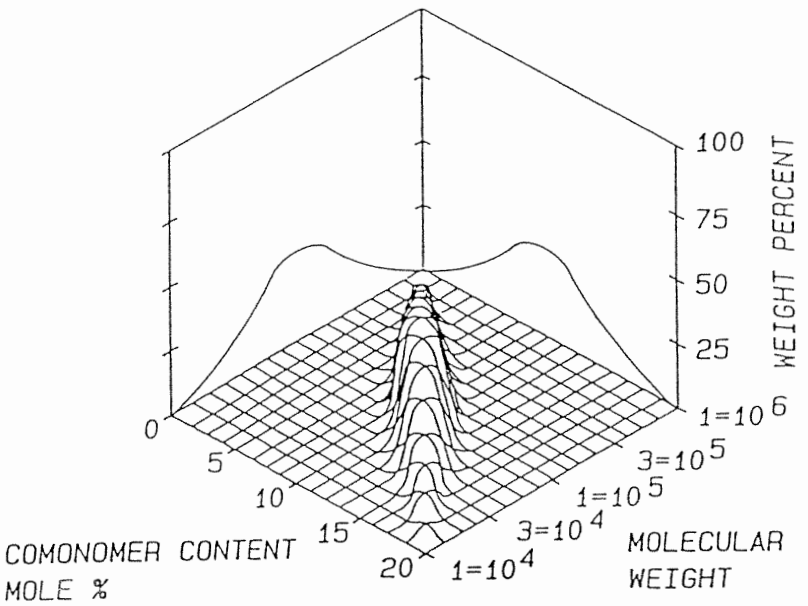
EXHIBIT V

PART 14



A——A PRIOR ART LLDPE
B——B CONSTANT MW, VARIABLE COMONOMER CONTENT
C——C CONSTANT COMONOMER CONTENT, VARIABLE MW
D——D INCREASING MW, INCREASING COMONOMER CONTENT
E——E INCREASING MW, INCREASING/CONSTANT COMONOMER CONTENT
F——F INCREASING/CONSTANT MW, INCREASING COMONOMER CONTENT

Fig-1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50
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3=10 5
1=10 5
3=10 4
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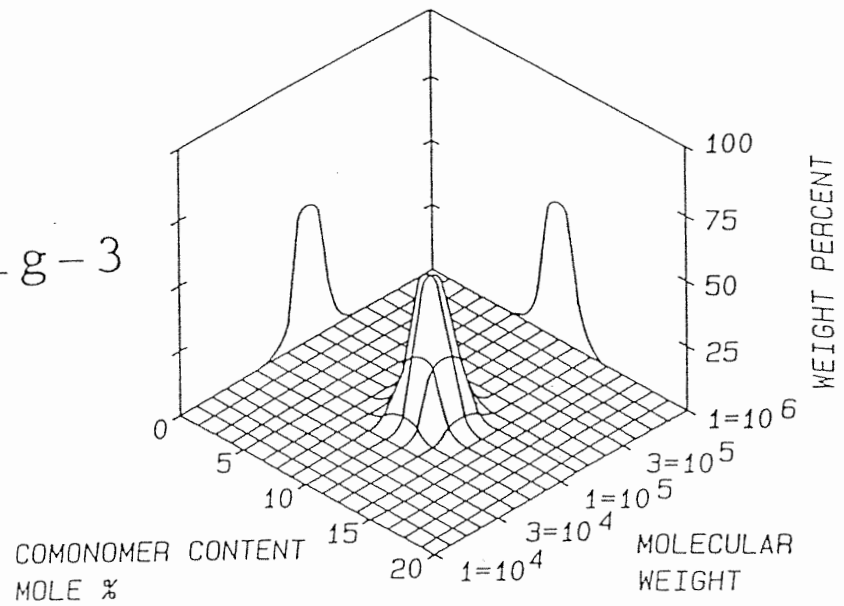
0
5
10
15
20
COMONOMER CONTENT
MOLE %
MOLECULAR
WEIGHT

Fig-2

Fig-3


100
75
50
25
WEIGHT PERCENT
1=10 6
3=10 5
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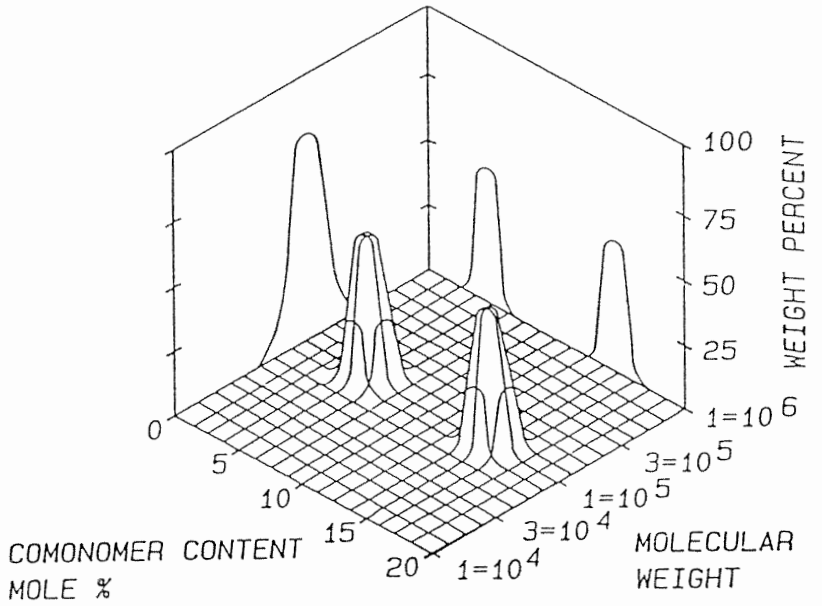
3=10 4
1=10 4
0
5
10
15
20
COMONOMER CONTENT
MOLE %
MOLECULAR
WEIGHT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75
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25
WEIGHT PERCENT
1=10 6
3=10 5
1=10 5
3=10 4
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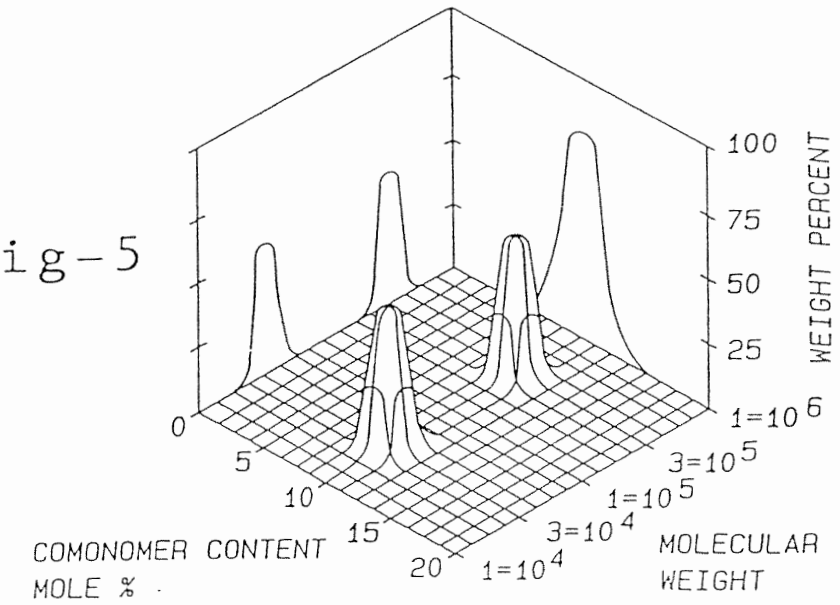
5
10
15
20
COMONOMER CONTENT
MOLE %
MOLECULAR
WEIGHT

Fig-4

Fig-5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WEIGHT PERCENT
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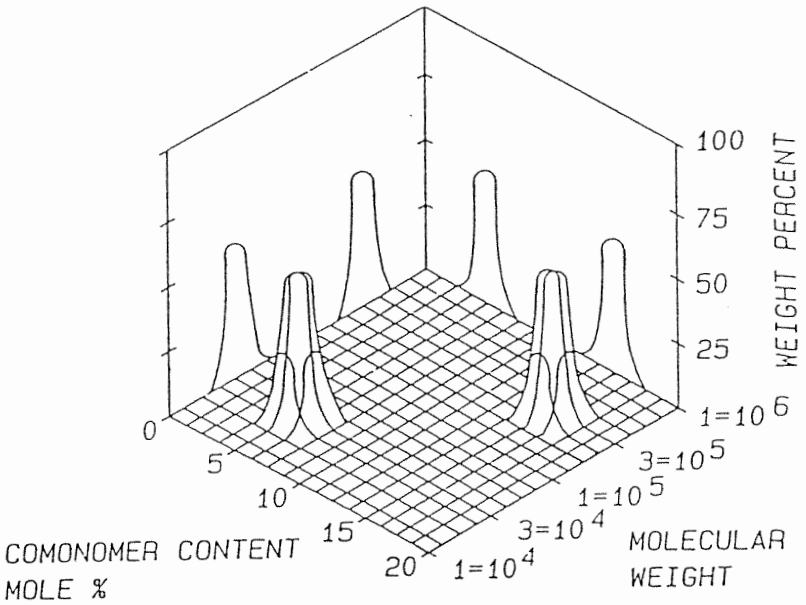
20
COMONOMER CONTENT
MOLE %
MOLECULAR
WEIGHT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25
WEIGHT PERCENT
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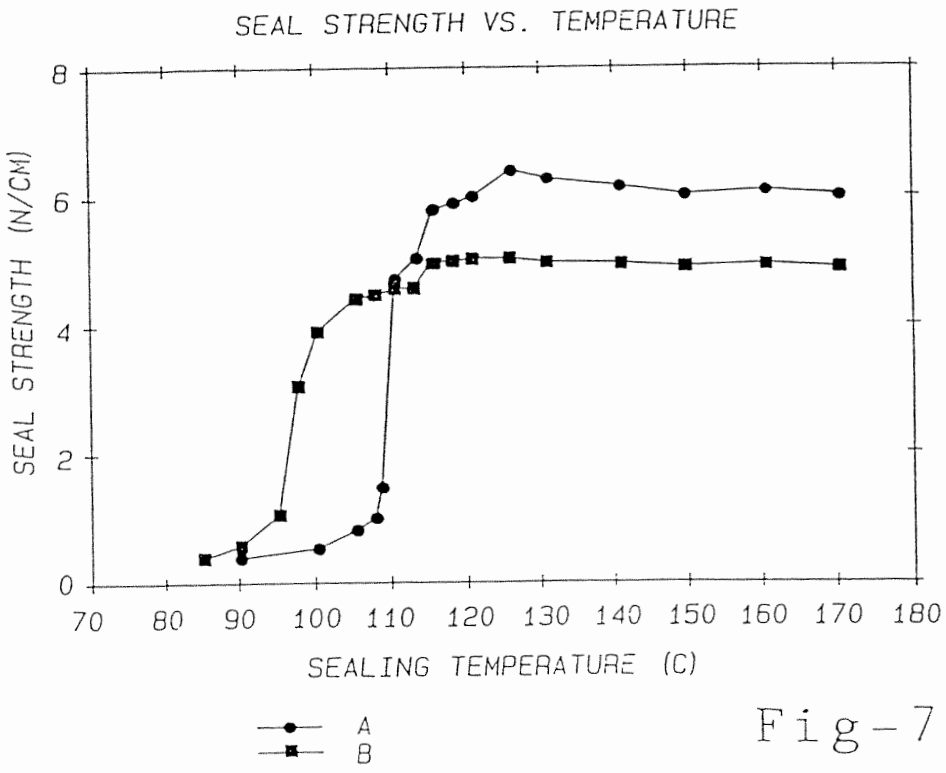
10
15
20
COMONOMER CONTENT
MOLE %
MOLECULAR
WEIGHT

Fig-6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SEAL STRENGTH (N/CM)
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4
6
8
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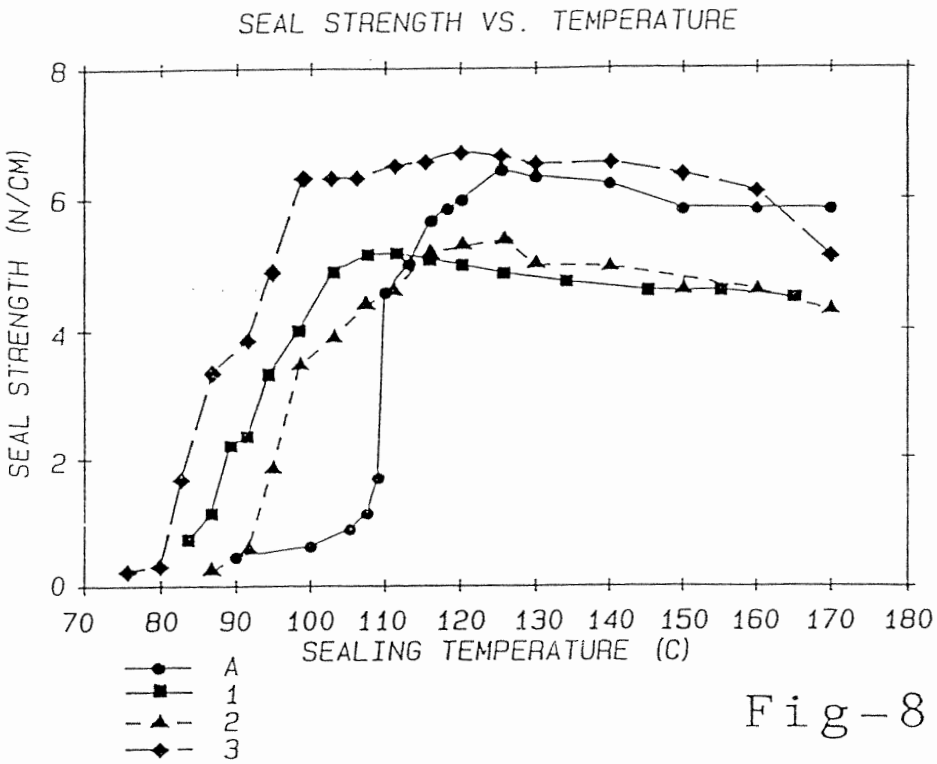
80
90
100
110
120
130
140
150
160
170
180
SEALING TEMPERATURE (C)
A
B

Fig-7


SEAL STRENGTH VS. TEMPERATURE
SEAL STRENGTH (N/CM)
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4
6
8
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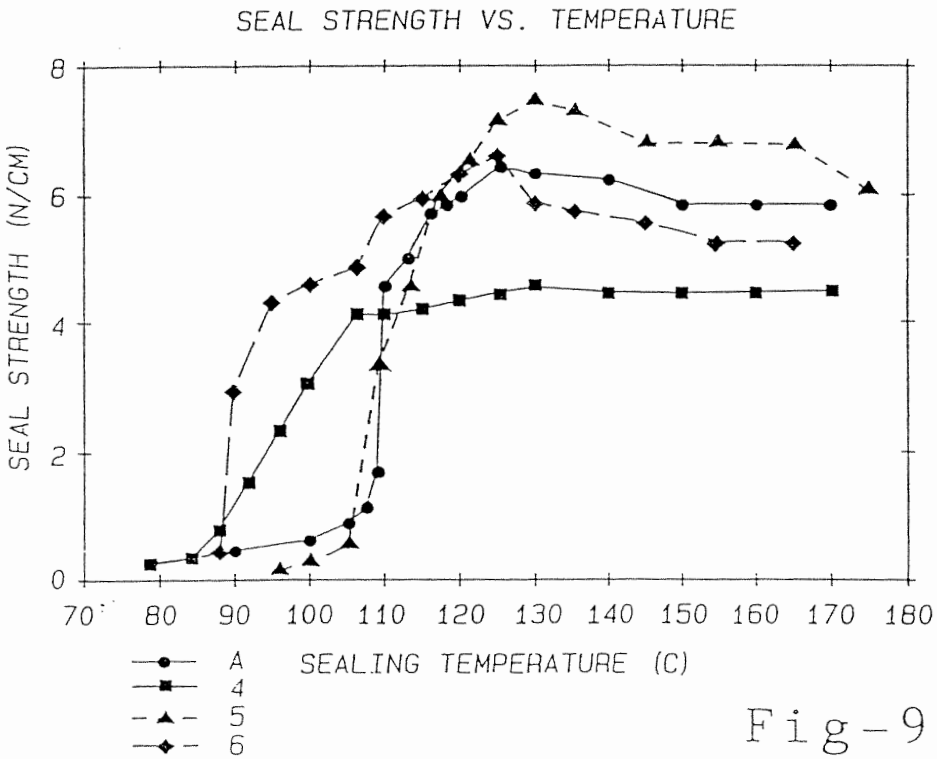
SEALING TEMPERATURE (C)
A
1
2
3

Fig-8


SEAL STRENGTH VS. TEMPERATURE
SEAL STRENGTH (N/CM)
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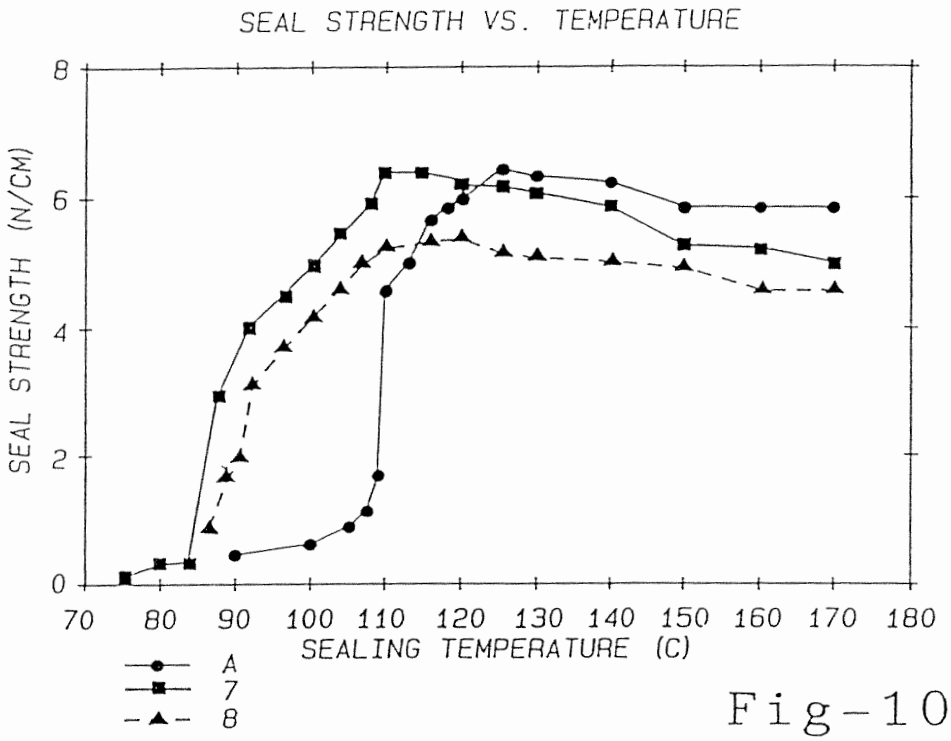
4
6
8
70 80 90 100 110 120 130 140 150 160 170 180
SEALING TEMPERATURE (C)
A
4
5
6

Fig-9


SEAL STRENGTH VS. TEMPERATURE
SEAL STRENGTH (N/CM)
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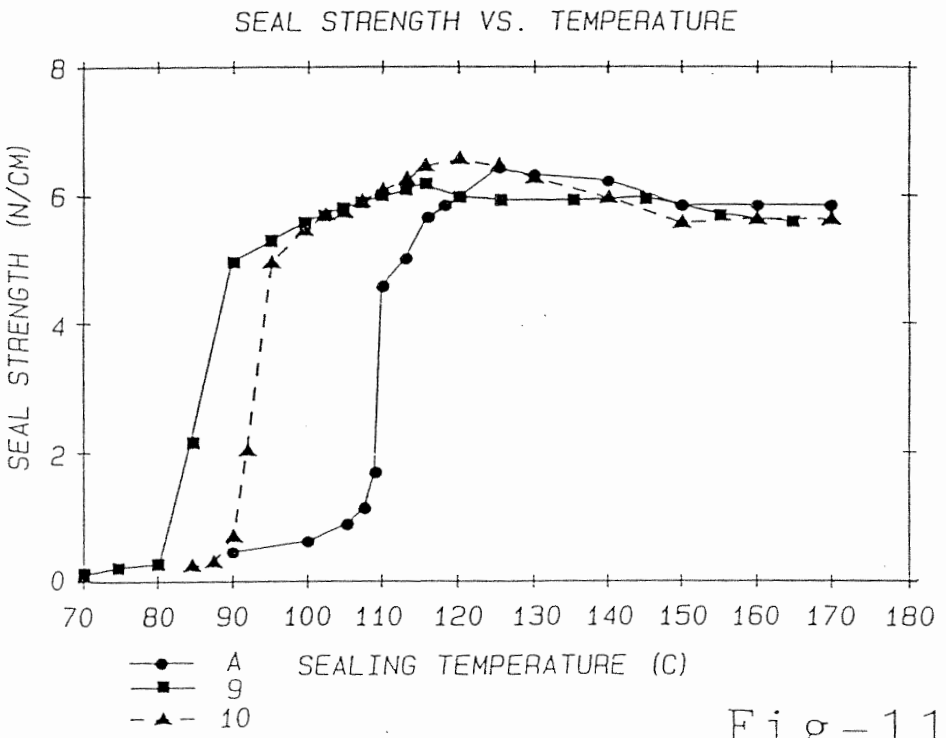
4
6
8
70 80 90 100 110 120 130 140 150 160 170 180
SEALING TEMPERATURE (C)
A
7
8

Fig-10


SEAL STRENGTH VS. TEMPERATURE
SEAL STRENGTH (N/CM)
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2
4
6
8
70 80 90 100 110 120 130 140 150 160 170 180
SEALING TEMPERATURE (C)
A
9
10

Fig-11

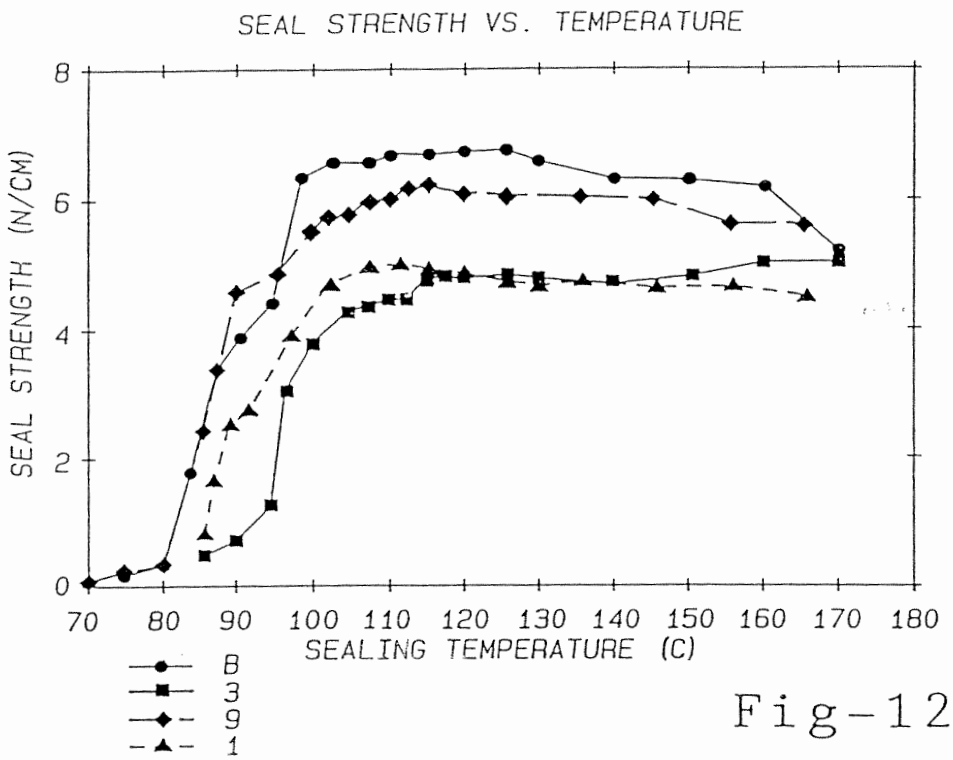


Fig-12

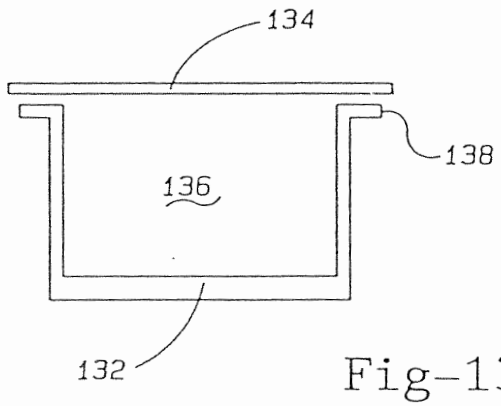


Fig-13

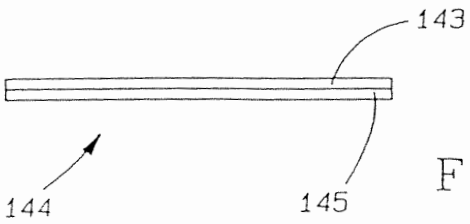
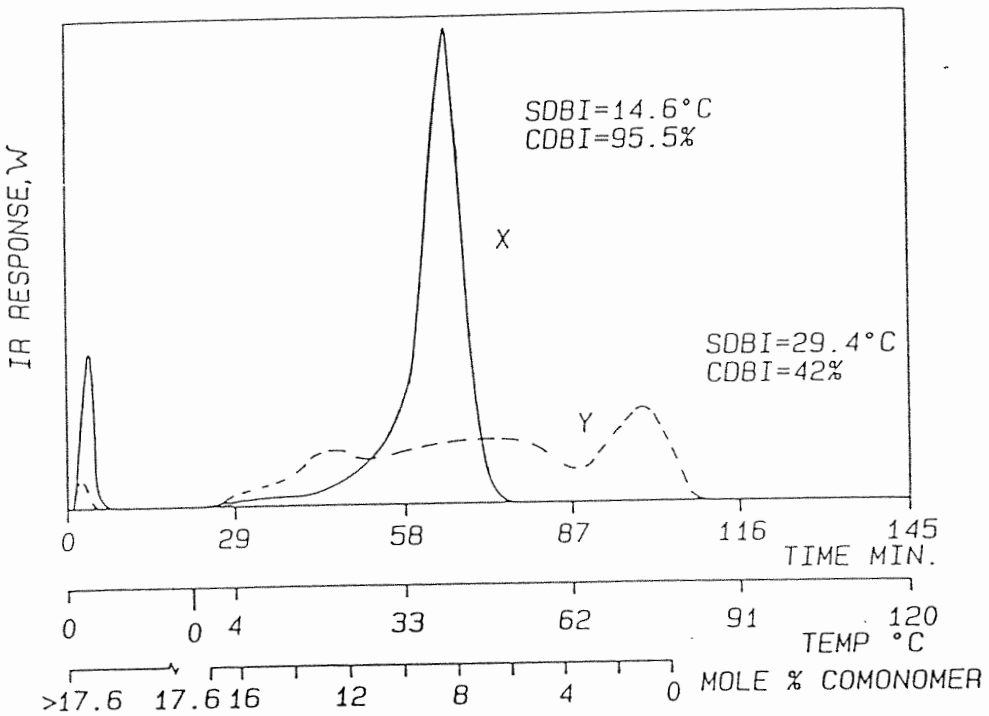


Fig-14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CDBI=95.5%
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SDBI=29.4°C
CDBI=42%
Y
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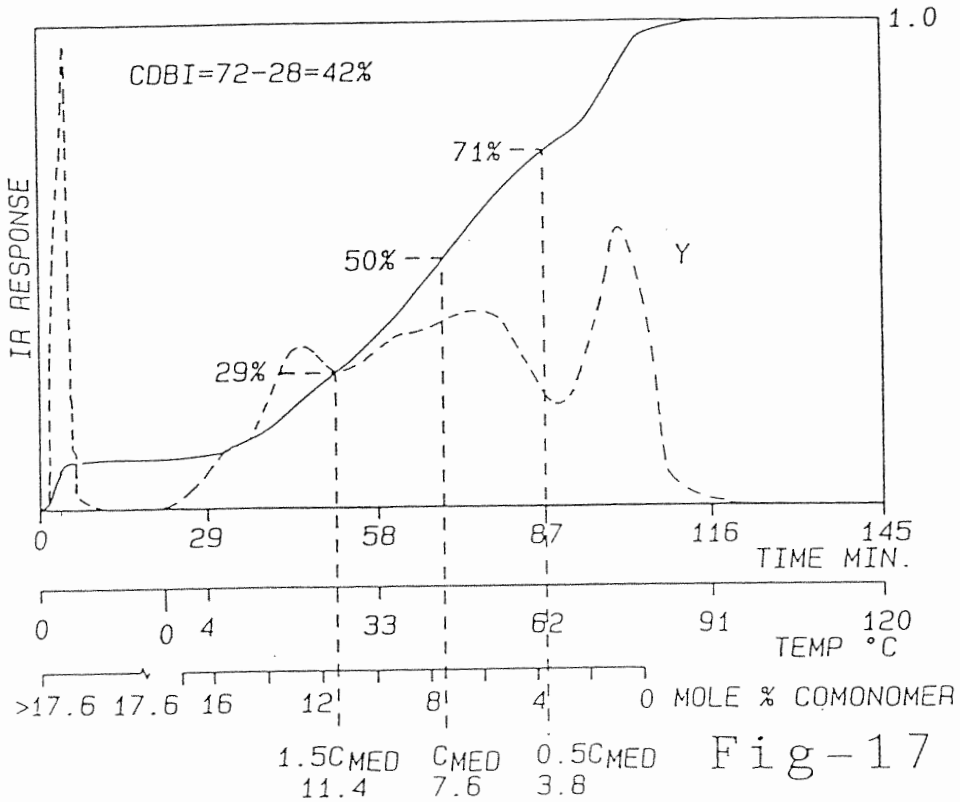
TIME MIN.
0 0 4 33 62 91 120
TEMP °C
>17.6 17.6 16 12 8 4 0 MOLE % COMONOMER

Fig-15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IR RESPONSE
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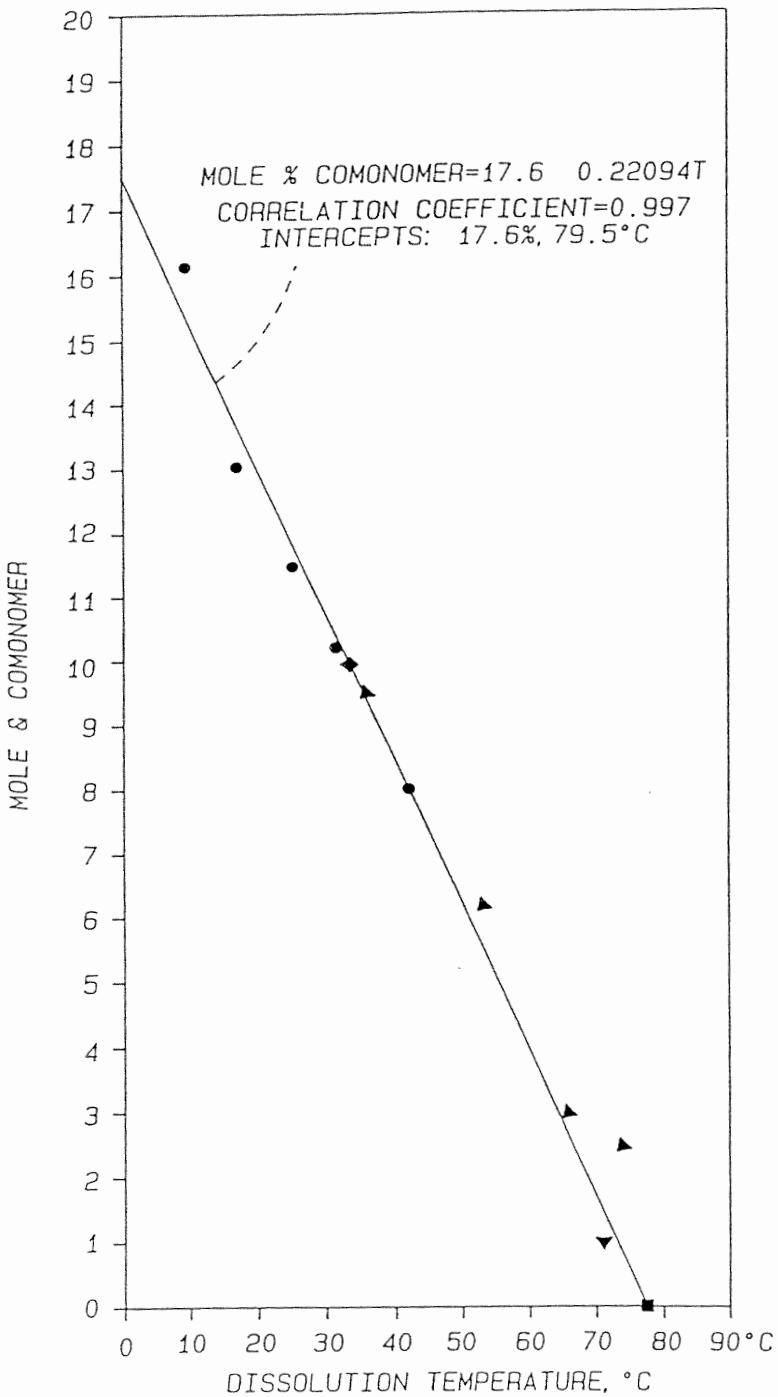
TIME MIN.
0 0 4 33 62 91 120
TEMP °C
>17.6 17.6 16 12 8 4 0 MOLE % COMONOMER
1.5CMED CMED 0.5CMED
11.4 7.6 3.8

Fig-17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MOLE % COMONOMER
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3
4
5
6
7
8
9
10
11
12
13
14
15
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17
18
19
20
0
10
20
30
40
50
60
70
80
90°C

Fig-16

INTERNATIONAL SEARCH REPORT

International Application No. PCT/US 92/05924

I. CLASSIFICATION OF SUBJECT MATTER (If several classification symbols apply, indicate all)[6]

According to International Patent Classification (IPC) or to both National Classification and IPC

Int.Cl. 5 C08L23/04; C09J123/04

II. FIELDS SEARCHED

Minimum Documentation Searched[7]

Classification System	Classification Symbols
Int.Cl. 5	C08L ; C09J

Documentation Searched other than Minimum Documentation to the Extent that such Documents are Included in the Fields Searched[8]

III. DOCUMENTS CONSIDERED TO BE RELEVANT[9]

Category[10]	Citation of Document,[11] with indication, where appropriate, of the relevant passages[12]	Relevant to Claim No.[13]
A	EP,A,0 057 891 (SUMITOMO CHEMICAL COMPANY, LTD.) 18 August 1982 see claims ---	1-16
A	EP,A,0 057 238 (MITSUI PETROCHEMICAL INDUSTRIES, LTD.) 11 August 1982 see the whole document ---	1-16
A	EP,A,0 141 597 (MITSUI PETROCHEMICAL INDUSTRIES, LTD.) 15 May 1985 see claims ---	1-16

-/--

[10] Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

IV. CERTIFICATION

Date of the Actual Completion of the International Search	Date of Mailing of this International Search Report
07 OCTOBER 1992	14. 10. 92
International Searching Authority	**Signature of Authorized Officer**
EUROPEAN PATENT OFFICE	CLEMENTE GARCIA R.

Form PCT/ISA/210 (second sheet) (January 1985)

III. DOCUMENTS CONSIDERED TO BE RELEVANT (CONTINUED FROM THE SECOND SHEET)

Category *	Citation of Document, with indication, where appropriate, of the relevant passages	Relevant to Claim No.
A	DATABASE WPIL Section Ch, Week 8715, Derwent Publications Ltd., London, GB; Class A17, AN 87-105454 & JP,A,62 053 313 (MITSUI PETROCHEMICAL KK) 9 March 1987 see abstract	1-16

ANNEX TO THE INTERNATIONAL SEARCH REPORT
ON INTERNATIONAL PATENT APPLICATION NO. US 9205924
SA 62623

This annex lists the patent family members relating to the patent documents cited in the above-mentioned international search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information. 07/10/92

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP-A-0057891	18-08-82	JP-A- 57126809	06-08-82
		JP-B- 1007096	07-02-89
		JP-A- 57126834	06-08-82
		JP-A- 57126835	06-08-82
		JP-A- 57126836	06-08-82
		JP-A- 57126837	06-08-82
		JP-A- 57126838	06-08-82
		JP-A- 57126839	06-08-82
		CA-A- 1198542	24-12-85
		GB-A,B 2093044	25-08-82
		US-A- 4438238	20-03-84
EP-A-0057238	11-08-82	JP-C- 1455107	25-08-88
		JP-A- 57034145	24-02-82
		JP-B- 62010532	06-03-87
		WO-A- 8200470	18-02-82
		US-A- 4429079	31-01-84
EP-A-0141597	15-05-85	JP-B- 3036042	30-05-91
		JP-A- 60088016	17-05-85
		CA-A- 1240097	02-08-88
		US-A- 4668752	26-05-87

EPO FORM P0479

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

Sheet 3 of 3

FORM PTO 1449 (modified) LIST OF REFERENCES CITED BY APPLICANT	Atty. Docket No. C-40121-AU	Serial No. 08/544,497
	Applicant: Pak-Wing Steve Chum et al.	
	Filing Date: 10-18-95	Group: 1505

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub-class	Filing Date If Appropriate
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-class	Translation	
	BA							
	BB							
	BC							
	BD							
	BE							

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

dw	C A		Speciality Plastics Conference 1990-The Raw Materials Scenario for PE and PP Film Applications and Markets, December 3-4, "High Value Added Film Using an Olefin Based Elastomer", by M. Tanaka
	C B		Packaging Technology and Engineering, April 1994, pp. 34-37, "Single-Site Catalysts Produce Tailor-Made, Consistent Resins", by David F. Simon
dw	C C		"Polyolefin Modification with EXACT™ Plastomers", (before 7/1994 and after 9/1992), pp. 539-564, by T. C. Yu, G. J. Wagner
	C D		
	C E		
	C F		

EXAMINER David Wu	DATE CONSIDERED 8-2-96

*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.

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MAR
13
1996
PAT & TRADEMARK

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 15 1996
RECEIVED

Applicants:	Pak-Wing Steve Chum et al.
Serial No.:	08/544,497
Attorney's Docket No. :	C-40,121AU
Filed:	October 18, 1995
For:	FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, on March 11, 1996
DATE OF DEPOSIT

Margaret Greene
PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

Margaret Greene
SIGNATURE OF PERSON SIGNING CERTIFICATE

March 11, 1996
DATE OF SIGNATURE

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

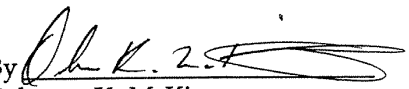
Sir:

TRANSMITTAL LETTER

As indicated in the Second Pre-Examination Amendment submitted on February 2, 1996, Applicants submit hereunder a Supplemental Declaration and Power of Attorney, pursuant to 37 CFR § 1.67 (a), declaring that the above-identified application is a continuation-in-part application of USSN 07/939,281, now U.S. Patent 5,278,272.

If there is a charge involved in this submission, please charge our account, Account No. 04-1512, accordingly.

Respectfully submitted,

By 
Osborne K. McKinney
Registration No. 40,084
Phone: (409) 238-7889

Dated: March 8, 1996

The Dow Chemical Company
Patent Department
Building B-1211
Freeport, Texas 77541
OKM/okm

• 1000 •

This Declaration and Power of Attorney 1000 is in the ENG nguage and has the same meaning in other languages with the s 00 number.

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY USA/PCT

(a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.

(b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is embraced by and for which a patent is sought on the invention entitled: **FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS**

the specification of which: (check one) [X] is attached hereto (C-).
was filed on **October 18, 1995** as (C- **40,121-AU**)
Application No. **08/544,497**
and was amended on **February 2, 1996**

MAIL ROOM MAR 13 1996

MAR 15 1996 RECEIVED #6

(c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

(d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). I acknowledge the same duty of disclosure with respect to information which is first published or which arises after the filing date of any prior application claimed under paragraph (f) to the extent that the subject matter of any claim of this application is not disclosed in the prior United States application.

(e) I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED
Number	Country	Day/Month/Year Filed	YES NO

(f) I hereby Claim the benefit under Title 35, United States Code § 120 of any United States applications(s) listed below:

07/776,130	**October 15, 1991**	**Patented**
07/939,281	**September 2, 1992**	**Patented**
Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to: **THE DOW CHEMICAL COMPANY, Patent Dept., B-1211, Freeport, TX 77541** and telephonic communications to the following:

(1)	**Osborne K. McKinney**	(TEL. **(409)238-7889**	Reg. No. **P-40,084**
(2)	**Stephen P. Krupp**		Reg. No. **34,366**
(3)	**L. Wayne White**		Reg. No. **25,415**
(4)	**Glenn H. Korfhage**		Reg. No. **27,204**
(5)	**Stephen S. Grace**		Reg. No. **24,834**

This appointment, including the right to delegate this appointment, shall also apply to the same extent to any proceedings established by the Paten Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believ to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine o imprisonment, or both under Title 18, United States Code § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor(s):

At **Freeport, Texas 77541, U.S.A**
this 20 day of February 19 96
Signature Pak-Wing Steve Chum
Full Name: **Pak-Wing Steve Chum**
Residence: **126 Juniper Street**
City, State, Zip: **Lake Jackson, Texas 77566**
Country: **United States of America**
Citizenship: **United States of America**
P.O. Address: **Same as Residence**

At **Freeport, Texas 77541, U.S.A.**
this 22nd day of February 19 96
Signature Ronald P. Markovich
Full Name: **Ronald P. Markovich**
Residence: **18800 Egret Bay Boulevard, #1601**
City, State, Zip: **Houston, Texas 77058**
Country: **United States of America**
Citizenship: **United States of America**
P.O. Address: **Same as Residence**

At **Freeport, Texas 77541, U.S.A.**
this 15 day of February 19 96
Signature George W. Knight
Full Name: **George W. Knight**
Residence: **1618 North Road**
City, State, Zip: **Lake Jackson, Texas 77566**
Country: **United States of America**
Citizenship: **United States of America**
P.O. Address: **Same as Residence**

At **Freeport, Texas 77541, U.S.A.**
this 22nd day of February 19 96
Signature Shih-Yaw Lai
Full Name: **Shih-Yaw Lai**
Residence: **4523 Bermuda Drive**
City, State, Zip: **Sugar Land, Texas 77479**
Country: **United States of America**
Citizenship: **United States of America**
P.O. Address: **Same as Residence**

( ) Additional names and signatures are attached.

R-10/88

1505

154 030
Wu

MAIL ROOM APR 10 1996 62 PAT. & TRADEMARK OFF.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pak-Wing Steve Chum et al.

Serial No.: 08/544,497

Attorney's Docket No. : C-40,121AU

Filed: October 18, 1995

For: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

APR 17 1996 RECEIVED

#7

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, on April 8, 1996
DATE OF DEPOSIT

Margaret Greene

PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

Margaret Greene
SIGNATURE OF PERSON SIGNING CERTIFICATE

April 8, 1996
DATE OF SIGNATURE

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT ATTACHMENTS

Copies of Form 1449 for USSN 08/010,958; 08/239,496; 07/776,130; 07/939,281; 08/289,985; 08/084,054; 08/344,262; and 07/945,034 are attached together with copies of supplemental submissions for these related applications.

These documents were inadvertently omitted from the Information Disclosure Statement mailed the Patent and Trademark Office on March 11, 1996.

We regret any inconvenience this error may have caused the Examiner.

If there is a charge involved in this submission and error, please charge our account, Account No. 04-1512, accordingly.

Respectfully submitted,

By
Osborne K. McKinney
Registration No. 40,084
Phone: (409) 238-7889

Dated: April 8, 1996

The Dow Chemical Company
Patent Department
Building B-1211
Freeport, Texas 77541
OKM/mfg

C-40,121AU

Sheet 1 of 15

FORM 1449

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY. DOCKET NO.: C-40,121	SERIAL NO.: ~~07/776,130~~ 815,447
APPLICANT: Shih-Yaw Lai et al.	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,082,908	1-21-92	Imai et al.			
		5,054,948	10-22-91	Lustig et al.			
		4,967,898	12-11-90	Lustig et al.			
		4,966,951	10-30-90	Benham et al.			
		4,963,388	10-16-90	Benoit			
		4,833,007	5-23-89	Benoit			
		4,829,093	5-2-89	Stuart			
		4,803,253	2-7-89	McDaniel et al.			
		4,699,238	9-8-87	Schinkel et al.			
		4,696,991	9-1-87	Seppl			

FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			Derwent ~~90-239017/31~~

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All the references in sheet 1 to sheet 14 were not considered in the prosecution of the present case 07/776,130 DS 12/13/96

FORM 1449

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY. DOCKET NO.: C-40,121 | SERIAL NO.: 07/776,130

APPLICANT: Shih-Yaw Lai et al.

FILING DATE: 10-15-91 | GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,668,957	5-26-87	Schinkel et al.			
		4,666,772	5-19-87	Schinkel et al.			
		4,624,991	11-25-86	Haas			
		4,588,794	5-13-86	Oda			
		4,482,687	11-13-84	Noshay et al.			
		4,390,677	6-28-83	Karol et al.			
		4,363,905	12-14-82	Fraser et al.			
		4,359,561	11-16-82	Fraser et al.			
		4,303,771	12-01-81	Wagner et al.			

FOREIGN PATENT DOCUMENTS

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Sheet 3 of 15

FORM 1449

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APPLICANT: Shih-Yaw Lai et al.	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,302,756	11-24-81	Karol et al.			
		4,259,468	3-31-81	Kajiura et al.			
		4,011,384	3-8-77	Baxmann et al.			
		5,084,927	2-4-92	Parkevich			
		5,084,034	1-28-92	Cancio et al.			
		5,073,599	12-17-91	Genske			
		5,073,452	12-17-91	Satou et al.			
		5,068,489	11-26-91	Edwards et al.			
		5,064,796	11-12-91	Speca			
		5,055,534	10-8-91	Theobald			
		5,055,533	10-8-91	Allen et al.			

FOREIGN PATENT DOCUMENTS

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FORM 1449

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C-40,121	07/776,130
APPLICANT: Shih-Yaw Lai et al	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,047,468	9-10-91	Lee et al.			
		RE 33,683	9-3-91	Allen et al.			
		5,043,040	8-27-91	Butler			
		5,041,316	8-20-91	Parnell et al.			
		5,025,072	6-18-91	Nowlin et al.			
		5,024,799	6-18-91	Harp et al.			
		5,015,551	5-14-91	Treybig et al.			
		5,013,801	5-7-91	Cozewith et al.			
		5,006,396	4-9-91	VanBortel et al.			

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FORM 1449

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SERIAL NO.: 07/776,130

APPLICANT: Shih-Yaw Lai et al.

FILING DATE: 10-15-91

GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 9 8 3 4 4 7	1-8-91	Crass et al.			
		4 9 8 1 8 2 6	1-1-91	Speca			
		4 9 7 5 3 1 5	12-4-90	Bolthe et al.			
		4 9 6 8 7 6 5	11-6-90	Yagi et al.			
		4 9 2 5 7 2 8	5-15-90	Crass et al.			
		4 9 2 1 9 2 0	5-1-90	Collomb-Ceccarini et al.			
		4 8 9 2 9 1 1	1-9-91	Genske			
		4 8 8 8 3 1 8	12-19-89	Allen et al.			
		4 8 8 2 4 0 6	11-21-89	Cozewith et al.			

FOREIGN PATENT DOCUMENTS

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FORM 1449

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APPLICANT: Shih-Yaw Lai et al.	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 8 7 6 3 2 1	10-24-89	Lo et al.			
		4 8 7 4 8 2 0	10-17-89	Cozewith et al.			
		4 8 5 7 6 1 1	8-15-89	Durand et al.			
		4 8 4 2 9 5 1	6-27-89	Yamada et al.			
		4 8 4 2 9 3 0	6-27-89	Schinkel			
		4 8 4 2 1 8 7	6-27-89	Janocha et al.			
		4 8 3 4 9 4 7	5-30-89	Cook et al.			
		4 8 3 0 9 2 6	5-16-89	Mostert			
		4 8 2 4 8 8 9	4-25-89	Mostert			
		4 8 0 8 6 3 5	2-28-89	Nguyen			

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Sheet 7 of 15

FORM 1449

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY. DOCKET NO.: C-40,121

SERIAL NO.: 07/776,130

APPLICANT: Shih-Yaw Lai et al.

FILING DATE: 10-15-91

GROUP: 1505

APR 17 1998

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 7 8 9 7 1 4	12-6-88	Cozewith et al.			
		4 7 8 8 2 3 2	11-29-88	Needham			
		4 7 8 0 2 6 4	10-25-88	Dohrer et al.			
		4 7 7 5 7 1 0	10-4-88	Dunski et al.			
		4 7 6 4 5 4 9	8-16-88	Greenhalgh et al.			
		4 7 6 2 8 9 8	8-9-88	Matsuura et al.			
		4 7 4 2 1 3 8	5-3-88	Kageyama			
		4 7 3 2 8 8 2	3-22-88	Allen et al.			
		4 7 2 2 9 7 1	2-2-88	Datta et al.			
		4 7 1 9 1 9 3	1-12-88	Levine et al.			
		4 7 1 6 2 0 7	12-29-87	Cozewith et al.			

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FORM 1449

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C-40,121	07/776,130
APPLICANT: Shih-Yaw Lai et al.	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,710,538	12-1-87	Jorgensen			
		4,690,992	9-1-87	Grubbs et al.			
		4,677,087	6-30-87	Lo et al.			
		4,676,922	6-30-87	Sommer			
		4,672,096	6-9-87	Nowlin			
		4,668,506	5-26-87	Lo et al.			
		4,666,999	5-19-87	Cook et al.			
		4,629,771	12-16-86	Candlin et al.			
		4,626,467	12-2-86	Hostetter			
		4,618,661	10-21-86	Nowlin			

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Sheet 9 of 15

FORM 1449

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APPLICANT: Shih-Yaw Lai et al.	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 5 9 9 3 9 1	7-8-86	Yamamoto et al.			
		4 5 9 3 0 0 9	6-3-86	Nowlin			
		4 5 8 7 3 1 8	5-6-86	Inoue et al.			
		4 4 7 4 7 4 0	4-29-86	Gross et al.			
		4 5 6 8 7 1 3	2-4-86	Hansen et al.			
		4 5 4 7 5 5 5	10-15-85	Cook et al.			
		4 5 1 9 9 6 8	5-28-85	Klaus et al.			
		4 5 1 3 0 3 8	4-23-85	Anthony			
		4 5 0 5 9 7 0	3-19-85	Craver			

FOREIGN PATENT DOCUMENTS

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Sheet 10 of 15

FORM 1449

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY. DOCKET NO.: C-40,121

SERIAL NO.: 07/776,130

APPLICANT: Shih-Yaw Lai et al.

FILING DATE: 10-15-91

GROUP: 1505

APR 17 1996

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 4 6 7 0 6 5	8-21-84	Williams et al.			
		4 4 6 1 7 9 2	7-24-84	Anthony			
		4 4 5 4 2 8 1	6-12-84	Heitz et al.			
		4 4 5 2 9 5 8	6-5-84	Chester et al.			
		4 4 2 7 5 7 3	1-24-84	Miles et al.			
		4 4 2 4 1 3 8	1-3-84	Candlin et al.			
		4 4 1 0 6 4 9	10-18-83	Cieloszyk			
		4 3 8 3 0 9 5	5-10-83	Goeke et al.			
		4 3 7 9 1 9 7	4-5-83	Cipriani et al.			
		4 3 7 0 4 5 6	1-25-83	George			
		4 3 5 4 0 0 9	10-12-82	Goeke et al.			

FOREIGN PATENT DOCUMENTS

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FORM 1449

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ATTY. DOCKET NO.: C-40,121	SERIAL NO.: 07/776,130
APPLICANT: Shih-Yaw Lai et al.	
FILING DATE: 10-15-91	GROUP: 1505

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5 0 5 5 3 3 8	10-8-91	Sheth et al.			
		5 0 1 9 3 1 5	5-28-91	Wilson			
		4 9 9 6 0 9 4	2-26-91	Dutt			
		4 9 5 9 4 3 6	9-25-90	Cozewith et al.			
		4 9 2 3 7 5 0	5-8-90	Jones			
		4 8 8 3 8 5 3	11-28-89	Hobes et al.			
		4 8 7 4 8 2 0	10-17-89	Cozewith et al.			
		4 8 2 0 5 8 9	4-11-89	Dobreski et al.			

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,792,595	12-20-88	Cozewith et al.			
		4,720,427	1-19-88	Clauson et al.			
		4,649,001	3-10-87	Nakamura et al.			
		4,617,374	10-14-86	Mueller			
		4,613,484	9-23-86	Wagner et al.			
		4,598,128	7-1-86	James et al.			
		4,597,920	7-1-86	Golike			
		4,588,650	5-13-86	Mientus et al.			
		4,564,594	1-14-86	Wagner			

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Sheet 13 of 15

FORM 1449

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,563,504	1-7-86	Hert et al.			
		4,551,380	11-5-85	Schoenberg			
		4,532,189	7-30-85	Mueller			
		4,514,465	4-30-85	Schoenberg			
		4,486,576	12-4-84	Machon et al.			
		4,485,217	11-27-84	Gunter et al.			
		4,464,266	8-7-84	Anthony			
		4,463,153	7-31-84	Mizutani et al.			
		4,438,243	3-20-84	Kashiwa et al.			
		4,418,181	11-29-83	Briggs et al.			

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		4,399,181	8-16-83	Briggs			
		4,380,570	4-19-83	Shigemoto			
		4,367,256	1-4-83	Biel			
		4,349,626	9-14-82	Jorgensen et al.			
		4,346,034	8-31-82	Mazumdar			
		4,340,401	7-20-82	Weiner			
		4,340,400	7-20-82	Weiner			
		4,339,339	7-13-82	Weiner			
		4,339,338	7-13-82	Weiner			
		4,328,082	5-4-82	Minami et al.			
		4,303,710	12-1-81	Bullard et al.			

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Rev. 9.88

Sheet 15 of 15

FORM 1449

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APPLICANT: Shih-Yaw Lai et al.	
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DW		4 4 0 5 7 7 4	9-20-83	Miwa et al.	—	—	
		4 5 1 0 3 0 3	4-9-85	Oda et al.	—	—	
		4 6 6 8 7 5 2	5-26-87	Tominari et al.	—	—	
		4 9 8 7 2 1 2	1-22-91	Morterol et al.	—	—	
DW		5 0 8 4 5 4 0	1-28-92	Albizzati et al.	—	—	

FOREIGN PATENT DOCUMENTS

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EXAMINER: David Wu	DATE CONSIDERED: 12-13-96

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See 9.8S

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/544,497	10/18/95	CHUM	P C-40,121-AL

15M2/0812
OSBORNE K MCKINNEY
2301 BRAZOSPORT BLVD B-1211
FREEPORT TX 77541

WU,D EXAMINER	
ART UNIT	PAPER NUMBER
1505	8

DATE MAILED: 08/12/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

TOL-90 (Rev. 6/84)

1 - PATENT APPLICATION FILE COPY

Office Action Summary	Application No. 08/544,497	Applicant(s) Chum et al.
	Examiner David Wu	Group Art Unit 1505

☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *three* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1, 3-8, 17, 19-23, and 31-35* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1, 3-8, 17, 19-23, and 31-35* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ● approved ● disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). *5 and 7*

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

15. Claims 1, 3-8, 17, 19-23, and 31-35 are 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 applicant regards as the invention.

16. The recitation "greater than about" of claim 1, lines 15-18 is indefinite because it has been held that the term "about" allows some flexibility. ***Amgen, Inc. v. Chugai Pharmaceutical Co.***, 18 USPQ 2d. 1016, 1030 (Fed. Cir. 1991). The lower limit is unclear since the term has not yet been defined in the specification. Note also in claim 17 and 31-35.

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

18. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

> Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

19. Claims 1, 3-8, 17, 19-23, and 31-35 are rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103 as obvious over Lai et al. (U.S. Patent No. 5,408,004, hereinafter "Lai").

20. The Lai patent has a different inventive entity from that of the U.S. Patent No. 5,272,236. Further, a patentee cannot obtain the benefit of the filing date of an earlier application where the claims in issue could not have been made in the earlier application. It has been held that a patent application is entitled to the benefit of the filing date of an earlier filed application only if the disclosure of the earlier application provides support for the claims of the latter application, as required by 35 USC § 112. See ***In re Chu***, 36 USPQ 2d 1089, 1093 (CAFC 1995). Accordingly, Lai reference '004 is deemed to be a good 102(e) prior art.

21. Lai discloses polyolefin blends comprising at least 10 percent, preferably at least 30 percent of at least one linear or

substantially linear homogeneously branched polyethylene, such as one of a Tafmer TM, Exact TM or Insite TM (defined in column 3, lines 43-56), and the remainder of the blend comprises one or more heterogeneously branched polyethylene (defined in column 3, lines 3-14). See column 2, lines 51-56; column 4, lines 30-50; column 5, line 67 to column 6, line 15; column 6, line 54 to column 7, line 2; column 7, lines 23-31. In working examples 1-2, the polymer blend sample E-1 is prepared from a 50/50 of CGC resin (Sample C-1) and HDPE resin (Sample C-2), sample E-2 is also prepared from a 50/50 of CGC resin (Sample C-6) and HDPE resin (Sample C-7). Although Lai fails to disclose the property such as the slope of strain hardening coefficient of the substantially linear homogeneously branched polyethylene, in view of the same type of the polymer and made by the same technology taught by Lai reference and the instant disclosure, the Examiner has a reasonable basis to believe that Lai's substantially linear homogeneously branched polyethylene possesses substantially the same value of the slope of strain hardening coefficient. Since the PTO does not have proper means to conduct the analytical tests, the burden of proof is now shifted to Applicants to show otherwise. ***In re Best***, 195 USPQ 430 (CCPA 1977); ***In re Fitzgerald***, 205 USPQ 594 (CCPA 1980).

22. Even if the properties of the polymers of the instant claims and the prior art examples are not the same, it would

still have been obvious to one of ordinary skill in the art to make polymers having the claimed properties because it appears that the references generically embrace the claimed polymers and the person of ordinary skill in the art would have expected all embodiments of the references to work. Applicants have not demonstrated that the differences, if any, between the claimed product and the prods of the prior art examples give rise to unexpected results.

23. The 102/103 rejection based on WO '414 has now been removed in view of the Markovich Declaration filed on February 6, 1996.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Wu whose telephone number is (703)308-2450. The examiner can normally be reached on weekdays from 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joseph Schofer, can be reached on (703) 308-2452. The fax phone number for this Group is (703) 305-5408.

David Wu

DAVID W. WU
PRIMARY EXAMINER
GROUP 1500

DWW
August 2, 1996

Notice of References Cited

Application No.	Applicant(s)		
08/544,497	Chum et al.		
Examiner	Group Art Unit	Page 1 of 1	
David Wu	1505		

U.S. PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
X	A	5,408,004	04-95	Lai et al.	525	240
	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		

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)

Form PTO 948 (Rev. 10-94) U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office Application No. 544497

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

PTO Draftpersons review all originally filed drawings regardless of whether they are designated as formal or informal. Additionally, patent Examiners will review the drawings for compliance with the regulations. Direct telephone inquiries concerning this review to the Drawing Review Branch, 703-305-8404.

The drawings filed (insert date) 10/18/95, are
A. ___ not objected to by the Draftsperson under 37 CFR 1.84 or 1.152.
B. X objected to by the Draftsperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawings must be submitted according to the instructions on the back of this Notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color.
   ___ Not black solid lines. Fig(s)_____
   ___ Color drawings are not acceptable until petition is granted. Fig(s) _____
2. PHOTOGRAPHS. 37 CFR 1.84(b)
   ___ Photographs are not acceptable until petition is granted. Fig(s) _____
   ___ Photographs not properly mounted (must use brystol board or photographic double-weight paper). Fig(s)_____
   ___ Poor quality (half-tone). Fig(s)_____
3. GRAPHIC FORMS. 37 CFR 1.84 (d)
   ___ Chemical or mathematical formula not labeled as separate figure. Fig(s)_____
   ___ Group of waveforms not presented as a single figure, using common vertical axis with time extending along horizontal axis. Fig(s)_____
   ___ Individuals waveform not identified with a separate letter designation adjacent to the vertical axis. Fig(s)_____
4. TYPE OF PAPER. 37 CFR 1.84(c)
   ___ Paper not flexible, strong, white, smooth, nonshiny, and durable. Sheet(s)_____
   X Erasures, alterations, overwritings, interlineations, cracks, creases, and folds copy machine marks not accepted. Fig(s) 1
   ___ Mylar, velum paper is not acceptable (too thin). Fig(s) _____
5. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
   21.6 cm. by 35.6 cm. (8 1/2 by 14 inches)
   21.6 cm. by 33.1 cm. (8 1/2 by 13 inches)
   21.6 cm. by 27.9 cm. (8 1/2 by 11 inches)
   21.0 cm. by 29.7 cm. (DIN size A4)
   ___ All drawing sheets not the same size. Sheet(s)_____
   ___ Drawing sheet not an acceptable size. Sheet(s) _____
6. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Paper size

21.6 cm. X 35.6 cm. (8 1/2 X 14 inches)	21.6 cm X 33.1 cm. (8 1/2 X 13 inches)	21.6 cm. X 27.9 cm. (8 1/2 X 11 inches)	21.0 cm. X 29.7 cm. (DIN Size A4)
T 5.1 cm. (2")	2.5 cm. (1")	2.5 cm. (1")	2.5cm.
L .64 cm. (1/4")	.64 cm. (1/4")	.64 cm. (1/4")	2.5 cm.
R .64 cm. (1/4")	.64 cm. (1/4")	.64 cm. (1/4")	1.5 cm.
B .64 cm. (1/4")	.64 cm. (1/4")	.64 cm. (1/4")	1.0 cm.

Margins do not conform to chart above. Sheet(s) 1 2
___Top (T) X Left (L) ___Right (R) ___Bottom (B)

7. VIEWS. 37 CFR 1.84(h)
   REMINDER: Specification may require revision to correspond to drawing changes.
   ___ All views not grouped together. Fig(s)_____
   ___ Views connected by projection lines or lead lines. Fig(s)_____
   Partial views. 37 CFR 1.84(h) 2
   ___ View and enlarged view not labled separatly or properly. Fig(s)_____
   Sectional views. 37 CFR 1.84 (h) 3
   ___ Hatching not indicated for sectional portions of an object. Fig(s)_____
   ___ Cross section not drawn same as view with parts in cross section with regularly spaced parallel oblique strokes. 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 with crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s)_____
   ___ Indication such as "actual size" or scale 1/2" not permitted. 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 (except for color drawings). Fig(s)_____
11. SHADING. 37 CFR 1.84(m)
   ___ Solid black shading areas 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. 37 CFR 1.84(p)(l) Fig(s)_____
   ___ Numbers and reference characters not oriented in same direction as the view. 37 CFR 1.84(p)(l) Fig(s)_____
   ___ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s)_____
   ___ Numbers, letters, and reference characters do not measure at least .32 cm. (1/8 inch) in height. 37 CFR(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. NUMBER OF VIEWS. 37 CFR 1.84(u)
   ___ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s)_____
   ___ View numbers not preceded by the abbreviation Fig. Fig(s)_____
16. CORRECTIONS. 37 CFR 1.84(w)
   ___ Corrections not made from prior PTO-948. Fig(s)_____
17. DESIGN DRAWING. 37 CFR 1.152
   ___ Surface shading shown not appropriate. Fig(s)_____
   ___ Solid black shading not used for color contrast. Fig(s)_____

COMMENTS:

ATTACHMENT TO PAPER NO._____ DATE 12/5/95

PTO Copy

REMINDER

Drawing changes may also require changes in the specification, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B, Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed. Please make such changes by 37 CFR 1.312 Amendment at the time of submitting drawing changes.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. **Correction of Informalities--37 CFR 1.85**

   File new drawings with the changes incorporated therein. The application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application, should be placed on the back of each sheet of drawings in accordance with 37 CFR 1.84(c). Applicant may delay filing of the new drawings until receipt of the Notice of Allowability (PTOL-37). Extensions of time may be obtained under the provisions of 37 CFR1.136. The drawing should be filed as a separate paper with a transmittal letter addressed to the Drawing Review Branch.

2. **Timing of Corrections**

   Applicant is required to submit **acceptable** corrected drawings within the three-month shortened statutory period set in the Notice of Allowability (PTOL-37). If a correction is determined to be unacceptable by the Office, applicant must arrange to have acceptable correction resubmitted within the original three-month period to avoid the necessity of obtaining as extension of time and paying the extension fee. Therefore, applicant should file corrected drawings as soon as possible.

   Failure to take corrective action within set (or extended) period will result in ABANDONMENT of the Application.

3. **Corrections other than Informalities Noted by the Drawing Review Branch on the Form PTO 948**

   All changes to the drawings, other than informalities noted by the Drawing Review Branch, MUST be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

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

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKETT NO.
08/544,497			

EXAMINER	
ART UNIT	PAPER NUMBER
	8 1/2

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Steve Krupp (3) David Wu

(2) Mr. Steve Chun (4) Mr. Delton Rollins

Date of interview 10/9/96

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: 1

Identification of prior art discussed: _____

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant is going to change filing receipt to incorporate 08/054,379 into the continuity priority data; As such, Lai '004 patent will be removed from the record. 112 rejection will be overcome by proper amendment. The application will be allowable if no further better prior art is located.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

David Wu
Examiner's Signature

PTOL-413 (REV. 2 -93)

ORIGINAL FOR INSERTION IN RIGHT HAND FLAP OF FILE WRAPPER

☆ U.S. GOVERNMENT PRINTING OFFICE: 1995–394-958

Interview Discussion Sheet for 08/544,497 (Att Docket# C40,121AU)

- Documentation provided as attachments demonstrate the filing receipt of present application is in error and should be corrected as the present invention is entitled to the benefit of the filing date of parent application 08/054,379.

- Because parent application 08/054,379 antedates Lai et al. U.S. Patent No. 5,408,004, Lai et al. '004 is not a proper § 102(e)/103 reference. Furthermore, Lai et al. '004 is directed to an entirely different invention, based on a unique critical melting property and provides a substantially different result defined as solid state processing.

- Amendment to the claims have been presented that traverse the rejection under 35 U.S.C. § 112, second paragraph.

Interview conducted October 9, 1996

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pak-Wing Steve Chum, et al.

Serial No.: 08/544,497
Filed: October 18, 1995
Attorney Docket No.: C-40,121-AU

Art Unit: 1505
Examiner: D. Wu

For: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

OCT 9 1996

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

RESPONSE A

The following is responsive to the Office Action mailed August 12, 1996 (paper number 8) wherein the PTO rejected all pending claims, Claims 1, 3-8, 17, 19-23 and 31-35. Also submitted herewith is a Request for Correction of Filing Receipt. Applicants elect to amend the claims and respectfully request reconsideration in view of the amendments and the remarks that follow.

In the Specification

Please at page 1, lines 2-12, under the section captioned "CROSS-REFERENCE TO RELATED APPLICATIONS," please delete "This application . . . by reference." and insert therefor --This application is a Rule 1.60 continuation application of application number 08/378,998, filed January 27, 1995, now abandoned, which was a Rule 1.62 continuation application of application number 08/054,379, filed April 28, 1993, now abandoned, which was a continuation-in-part application of 07/776,130, filed October 15, 1991, now issued U.S. Patent No. 5,272, 236, the disclosures of each of which is incorporated herein in their entirety by reference. This application is also related to pending application number 08/501,527, filed August 2, 1995, now U.S. Patent No. 5,609,242 which is a continuation of 08/010,958, filed January 29, 1993, now abandoned, the disclosure of which is incorporated herein by reference.--

In the Claims

Please amend the claims as follows:

1. (Third Amendment) A film made from an ethylene polymer composition, wherein the composition comprises

(A) from about 10 percent (by weight of the total composition) to about 95 percent (by weight of the total composition) of at least one homogeneously branched substantially linear ethylene/α-olefin interpolymer having:

(i) a density from about 0.89 grams/cubic centimeter (g/cm^3) to about 0.92 g/cm^3,

(ii) a molecular weight distribution (M_W/M_n) from about 1.8 to about 2.8,

(iii) a melt index (I_2) from about 0.001 grams/10 minutes (g/10 min.) to about 10 g/10 min.,

(iv) no high density fraction,

(v) a single melting peak as measured using differential scanning calorimetry,

(vi) a critical shear stress at onset of gross melt fracture of greater than [about] 4 x 10^6 dyne/cm^2, and

(vii) a slope of strain hardening coefficient from [greater than or equal to about] 1.3 [and up] to [about] 2.3; and

(B) from about 5 percent (by weight of the total composition) to about 90 percent (by weight of the total composition) of at least one heterogeneously branched ethylene polymer having a density from about 0.93 g/cm^3 to about 0.965 g/cm^3 and wherein the heterogeneously branched ethylene polymer has no more than about 10 percent (by weight of the polymer) of a polymer fraction having a slope of strain hardening coefficient (SHC) greater than or equal to [about] 1.3.

~~17.~~ 8. (Third Amendment) In a composition comprising at least one homogeneously branched ethylene/α-olefin interpolymer and at least one heterogeneously branched ethylene/α-olefin interpolymer, the improvement comprising incorporating into the composition from about 10 percent (by weight of the total composition) to about 95 percent (by weight of the total composition) of at least one homogeneously branched substantially linear ethylene/α-olefin interpolymer having:

(i) a density from about 0.89 grams/cubic centimeter (g/cm^3) to about 0.92 g/cm^3,

(ii) a molecular weight distribution (M_W/M_n) from about 1.8 to about 2.8,

(iii) a melt index (I_2) from about 0.001 grams/10 minutes (g/10 min.) to about 10 g/10 min.,

(iv) no high density fraction,

(v) a single melting peak as measured using differential scanning calorimetry,

(vi) a critical shear stress at onset of gross melt fracture of greater than [about] 4 x 10^6 dyne/cm^2, and

(vii) a slope of strain hardening coefficient from [greater than or equal to about] 1.3 [and up] to [about] 2.3; and

from about 5 percent (by weight of the total composition) to about 90 percent (by weight of the total composition) of at least one heterogeneously branched ethylene polymer having a density from about 0.93 g/cm^3 to about 0.965 g/cm^3 wherein the heterogeneously branched ethylene polymer has no more than about 10 percent (by weight of the polymer) of a polymer fraction having a slope of strain hardening coefficient (SHC) greater than or equal to [about] 1.3.

14 ~~31~~. (First Amendment) A film made from an ethylene polymer composition, wherein the composition comprises

(A) from about 10 percent (by weight of the total composition) to about 95 percent (by weight of the total composition) of

at least one homogeneously branched substantially linear ethylene/α-olefin interpolymer having:

(i) a density from about 0.89 grams/cubic centimeter (g/cm^3) to about 0.92 g/cm^3,

(ii) a molecular weight distribution (M_w/M_n) from about 1.8 to about 2.8,

(iii) a melt index (I_2) from about 0.001 grams/10 minutes (g/10 min.) to about 10 g/min.,

(iv) no high density fraction,

(v) a single melting peak as measured using differential scanning calorimetry,

(vi) a critical shear stress at onset of gross melt fracture of greater than [about] 4 x 10^6 dyne/cm^2, and

(vii) a slope of strain hardening coefficient from [greater than or equal to about] 1.3 [and up] to [about] 2.3; and

(B) from about 5 percent (by weight of the total composition) to about 90 percent (by weight of the total composition) of at least one heterogeneously branched ethylene polymer.

153. (First Amendment) An ethylene polymer composition comprising

(A) from about 10 percent (by weight of the total composition) to about 95 percent (by weight of the total composition) of

at least one homogeneously branched substantially linear ethylene/α-olefin interpolymer having:

(i) a density from about 0.89 grams/cubic centimeter (g/cm^3) to about 0.92 g/cm^3,

(ii) a molecular weight distribution (M_w/M_n) from about 1.8 to about 2.8,

(iii) a melt index (I_2) from about 0.001 grams/10 minutes (g/10 min.) to about 10 g/min.,

(iv) no high density fraction,

(v) a single melting peak as measured using differential scanning calorimetry,

(vi) a critical shear stress at onset of gross melt fracture of greater than [about] 4 x 10^6 dyne/cm^2, and

(vii) a slope of strain hardening coefficient from [greater than or equal to about] 1.3 [and up] to [about] 2.3; and

(B) from about 5 percent (by weight of the total composition) to about 90 percent (by weight of the total composition) of at least one heterogeneously branched ethylene polymer.

154. (First Amendment) A film made from an ethylene polymer composition, wherein the composition comprises

(A) from about 10 percent (by weight of the total composition) to about 95 percent (by weight of the total composition) of at least one homogeneously branched substantially linear ethylene/α-olefin interpolymer having:

(i) a density from about 0.89 grams/cubic centimeter (g/cm^3) to about 0.92 g/cm^3,

(ii) a molecular weight distribution (M_W/M_n) from about 1.8 to about 2.8,

(iii) a melt index (I_2) from about 0.001 grams/10 minutes (g/10 min.) to about 10 g/10 min.,

(iv) no high density fraction,

(v) a single melting peak as measured using differential scanning calorimetry,

(vi) a critical shear rate at onset of surface melt fracture for the substantially linear olefin polymers is at least 50 percent greater than the critical shear at the onset of surface melt fracture of a linear olefin polymer having about the same I_2 and M_w/M_n, and

(vii) a slope of strain hardening coefficient from [greater than or equal to about] 1.3 [and up] to [about] 2.3; and

(B) from about 5 percent (by weight of the total composition) to about 90 percent (by weight of the total composition) of at least one heterogeneously branched ethylene polymer.

1 ~~34~~ 34. (First Amendment) An ethylene polymer composition comprising

(A) from about 10 percent (by weight of the total composition) to about 95 percent (by weight of the total composition) of at least one homogeneously branched substantially linear ethylene/α-olefin interpolymer having:

(i) a density from about 0.89 grams/cubic centimeter (g/cm^3) to about 0.92 g/cm^3,

(ii) a molecular weight distribution (M_W/M_n) from about 1.8 to about 2.8,

(iii) a melt index (I_2) from about 0.001 grams/10 minutes (g/10 min.) to about 10 g/10 min.,

(iv) no high density fraction,

(v) a single melting peak as measured using differential scanning calorimetry,

(vi) a critical shear rate at onset of surface melt fracture for the substantially linear olefin polymers is at least 50 percent greater than

the critical shear at the onset of surface melt fracture of a linear olefin polymer having about the same I_2 and M_w/M_n, and

(vii) a slope of strain hardening coefficient from [greater than or equal to about] 1.3 [and up] to [about] 2.3; and

(B) from about 5 percent (by weight of the total composition) to about 90 percent (by weight of the total composition) of at least one heterogeneously branched ethylene polymer.

REMARKS

Applicants elect to amend the specification to clarify the continuity and background of the present application. In response to a rejection under 35 U.S.C. § 112, second paragraph, Applicants elect to amend the claims by deleting the term "about" from Claims 1, 17, 31, 32, 34 and 35 as requested by the Examiner and by reformulating Claims 1, 17, 31, 32, 33 and 34 only for improved clarity. Since these amendments were made solely for the purpose of making the background as to related applications clear and making the claims more definite and not made for the purpose of avoiding prior art, no prosecution history file wrapper estoppel will apply.

Applicants respectfully request entry of the amendments to the specification and claims and reconsideration in view of the following remarks.

Applicants also request correction of the filing receipt for the present application. The filing receipt is in error in that the section captioned "CONTINUING DATA AS CLAIMED BY APPLICANT" does not indicate that application number 08/378,998 is a continuation application of application number 08/054,379, now abandoned, which was a continuation-in-part application of application number 07/776,130, now issued US Patent No. 5,272,236. Instead, the filing receipt incorrectly indicates that application number 08/378,998 is a continuation-in-part application of application number 07/776,130. That is, the filing receipt is missing the second filed application in the continuity chain of the present application.

To evince the proper continuity chain of the present application, attached herewith is a flowchart captioned "Continuity Chain of 08/544,497" and the following supporting documentation as to the various applications:

08/054,379

1. Office Stamped Postcard indicating submission of a New Continuation-in-part Application and a Fee Sheet and also providing an April 28, 1993 filing date.

2. Office Stamped Postcard indicating submission of a Declaration and Power of Attorney as well as a Fee Sheet for filing the Declaration.

3. Declaration and Power of Attorney claiming priority to 07/776,130.

4. Filing Receipt indicating the correct inventorship entity, the correct continuing data and an April 28, 1993 filing date.

5. Office Stamped Postcard indicating submission of an Extension of Time.

6. Extension of Time extending the period for response to January 27, 1995.

7. Notice of Abandonment indicating 08/054,379 was abandoned on January 27, 1995 for failure to respond to the Office letter mailed July 27, 1994.

08/378,998

1. Office Stamped Postcard indicating submission of a Rule 1.62 Continuation Application and a Fee Sheet and also providing a January 27, 1995 filing date.

2. Filing Receipt indicating the correct inventorship entity, the correct continuing data and a January 27, 1995 filing date.

3. Fee Sheet with an "Express Mail" label with a date of deposit of January 27, 1995 and at line item 7 requesting an amendment to the specification to claim priority to 08/054,379.

4. Correspondence from Crystal Patent Service Ltd. indicating hand-delivery of an Extension of Time as well as a Postcard bearing the initials of Examiner David Wu dated September 21, 1995 indicating receipt of Extension of Time.

5. Extension of Time extending the period for response to October 18, 1995 hand-delivered as in 4. above.

6. Notice of Abandonment (consisting of two pages) indicating 08/378,998 was abandoned on October 18, 1995 for failure to respond to the Office letter mailed April 18, 1995.

08/544,497

1. Office Stamped Postcard indicating submission of a New Patent Application and a Fee Sheet and also providing a October 18, 1995 filing date.

2. Filing Receipt indicating the correct inventorship entity, an October 18, 1995 filing date and incorrect continuing data.

3. Fee Sheet with an "Express Mail" label with a date of deposit of October 18, 1995 and at line item 5 requesting an amendment to the specification to claim priority to 08378,998.

Applicants believe the above documentation demonstrates the filing receipt for the present application should be corrected and the present application is entitled to claim the benefit of the following applications:

08/378,998, filed January 27, 1995, which is a continuation of '379
08/054,379, filed April 28, 1993; which is a CIP of '130 (Now USP '236)
07/776,130, filed October 15, 1991, now issued US Patent No. 5,272,236.

PTO OBJECTIONS AND REJECTIONS

1. Claims 1, 3-8, 17, 19-23, and 31-35 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 applicant regards as the invention.

2. Claims 1, 3-8, 17, 19-23, and 31-35 stand rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103 as obvious over Lai et al. (U.S. Patent No. 5,408,004).

APPLICANTS' RESPONSE

Applicants believe that the rejection under 35 U.S.C. § 112, second paragraph, is traversed with entry of the above amendments to the claims. That is, as amended, Applicants believe the claims as amended obviate the 35 U.S.C. § 112, second paragraph, rejection.

As to the rejection under 35 U.S.C. §§ 102(e) and 103 over Lai et al. '004, attention is drawn to the fact that the present application is entitled to the benefit of the filing date of parent application 08/054,379, filed April 28, 1993, which antedates Lai et al. '004, filed August 17, 1993. As such, Applicants submit Lai et al. '004 is not a proper reference against the present invention.

Moreover, the invention disclosed in Lai et al. '004 is entirely different and distinct from the present invention. Lai et al. in '004 describe a very particular composition defined by a critical melting property and the so-described composition is shown to exhibit an unusual solid state processing characteristic (as opposed to a normal melt extrusion characteristic). Lai et al. ('004) does not specify the slope of strain hardening coefficient of the substantially linear component and it could be lower than 1.3 or higher than 2.3, thus not creating the enhanced performance which the present inventors have discovered. Conversely and distinctly, the present invention is directed to a unique film and composition defined by a slope of strain hardening property wherein the film and composition is shown to exhibit superior solid state abuse properties. As such, the two inventions use critically different components and provide significantly different results.

Applicants submit on the basis of the above amendments and remarks, all objections and rejections have been traversed and should be withdrawn. Applicants also believe the application is in a condition for allowance and respectfully request a notice of allowance of all the claims, Claims 1, 3-8, 17, 19-23, and 31-39.

Respectfully submitted,

By _____
Osborne K. McKinney
Registration No. 40,084
Phone: (409) 238-7889

Dated: October 8, 1996
The Dow Chemical Company
Patent Department
Building B-1211
Freeport, Texas 77541
OKM/okm

MAY 11 1993 08/054379

C- 40,121-G

Continuation-in-Part

Received NEW PATENT APPLICATION in the U.S. Patent Office re: Fee Sheet plus 2 copies

Title: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

Applicant: Pak-Wing Steve Chum et al.
Pages of Spec:
Number of Claims: 30
Sheets of Drawings: 2
Declaration attached. Yes
Fee: $1,004.00 charged to our Deposit Account.

MAIL ROOM APR 28 1993 30 PAT. & TRADEMARK OFF.

LWW/mfg

MAILED TO MIDLAND

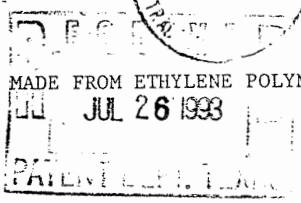
JUL 26 1993

C-40,121-G

Received in the U.S. Patent and Trademark Office:

Declaration and Power of Attorney
Fee sheet for filing declaration + 2 copies





Applicant: Pak-Wing Steve Chum
Serial No.: 08/054,379
Filed: April 28, 1993
Title: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

LWW/mfg
7/7/93

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pak-Wing Steve Chum
Serial No.: 08/054379 Group Art Unit:
Filed: April 28, 1993 Examiner:
For: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

OCT 9 1996

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, On July 7, 1993
DATE OF DEPOSIT
Margaret Greene
PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE
Margaret Greene
SIGNATURE OF PERSON SIGNING CERTIFICATE
July 7, 1993
DATE OF SIGNATURE

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

FILING OF DECLARATION

Filed herewith is the Declaration and Power of Attorney in the above-identified patent application. The filing date of the application is as noted above.

The $130.00 fee for the separate filing of this Declaration required under 37 CFR 1.16(e) may be charged to our Deposit Account No. 04-1512. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

By L. Wayne White

L. Wayne White
Registration No. 25,415
Phone: 409-238-2149

Freeport, Texas 77541
LWW/mfg

C-40,121-G -1-

This Declaration and Power of Attorney 1000 is in the ENGLISH language and has the same meaning in other languages with the same 1000 number

1000 • 1000 • 1000 •

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

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/051,[illegible]	04/28/93	[illegible]	[illegible]

[illegible]

THE DOW CHEMICAL CO.
PATENT DEPARTMENT
BLDG. B 1211
DALLAS [illegible]

DATE MAILED: 05/21/93

NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of $130.00 for large entities or $65.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is $130.00

Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit $_____ to complete the basic filing fee.

2. ☐ Additional claim fees of $_____ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

3. ☐ The oath or declaration:
   ☐ is missing.
   ☐ does not cover items omitted at time of execution.

   An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. ☒ The signatures to the oath or declaration ~~is~~ are ☒ missing; ☐ a reproduction; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:

   _____. An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of $_____ under 37 CFR 1.17(k), unless this fee has already been paid.

8. ☐ A $_____ processing fee is required for returned checks. (37 CFR 1.21(m)).

9. ☐ Your filing receipt was mailed in error because check was returned without payment.

10. ☐ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11. ☐ Other.

~~Direct the response and any questions about this notice to~~ [signature], Application Processing Division, Special Processing and Correspondence Branch (703) 308-1202.

TO-103X
(ev. 7-93)

FILING RECEIPT

SEP 2 1993 alb

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

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/054,379	04/28/93	1503	$1,134.00	C40121G	2	30	4

THE DOW CHEMICAL CO.
PATENT DEPARTMENT
BLDG. B-1211
DALLAS, TX 77541

RECEIVED
SEP - 2

Receipt is acknowledged of this patent application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

PAK-WING STEVE CHUM, LAKE JACKSON, TX; GEORGE W. KNIGHT, LAKE JACKSON, TX; RONALD P. MARKOVICH, FRIENDSWOOD, TX; SHIH-YAW LAI, SUGAR LAND, TX.

CONTINUING DATA AS CLAIMED BY APPLICANT-
THIS APPLN IS A CIP OF 07/776,130 10/15/91

FOREIGN FILING LICENSE GRANTED 08/26/93
TITLE
FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

PRELIMINARY CLASS: 528

MAILED TO MIDLAND

(see reverse)

C- 40,121-G

Received in the U.S. Patent and Trademark Office:
Extension of Time (Original & 2 co

MAIL ROOM
74 JAN 27 1995
PAT. & TRADEMARK OFF.

Applicant: Pak-Wing Steve Chum, et a
Serial No.: 08/054,379
Filed: April 28, 1993
Title: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

LWW/jka

1995

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pak-Wing Steve Chum, et al.

Serial No.: 08/054,379 Group Art Unit: 1505

Filed: April 28, 1993 Examiner: D. Wu

For: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

"Express Mail" mailing label number TB 184 380 515
Date of Deposit January 27, 1995
I hereby certify that this paper or fee is being deposited with the United States Postal Service, with sufficient postage "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231
Jan Alverson
(Typed or printed name of person mailing paper or fee)
Jan Alverson
(Signature of person mailing paper or fee)

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

OCT 9 1996

EXTENSION OF TIME

Applicant(s) hereby request(s) that the shortened statutory period for response now set to expire October 27, 1994 in this application be extended for a period of three (3) month(s), the extended period then expiring on January 27, 1995. This is a second request for an extension of time.

Please charge $870.00 to our Deposit Account No. 04-1512. If this estimate is incorrect, please charge or credit our account accordingly. Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

By L Wayne White

L. Wayne White
Registration No. 25,415
Address: Bldg. B-1211
Freeport, Texas 77541
Phone: 409-238-2149

LWW/jka

MAILED TO MID

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/054,379	04/28/93	CHUM P	C401216

15M2/0306

THE DOW CHEMICAL CO.
PATENT DEPARTMENT
BLDG. B-1211
DALLAS, TX 77541

RECEIVED
MAR 10 1995
PATENT DEPT. TEXAS

EXAMINER	
WU, D	
ART UNIT	PAPER NUMBER
1505	8

DATE MAILED: 03/06/95

NOTICE OF ABANDONMENT

This application is abandoned in view of:

1. ☒ Applicant's failure to respond to the Office letter, mailed 7/27/94.
2. ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
3. ☐ Applicant's failure to timely file the response received _____ within the period set in the Office letter.
4. ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of _____ of the Notice of Allowance.
   - ☐ The issue fee was received on _____.
   - ☐ The issue fee has not been received in Allowed Files Branch as of _____.

   In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17 (l), and a verified showing as to the causes of the delay.

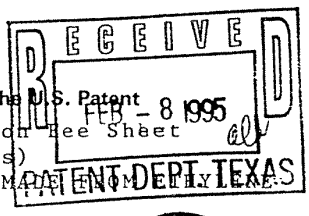
   If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of Delgar Inc. v. Schuyler, 172 U.S.P.Q. 513.
5. ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by _____ as required in the last Office action.
   - ☐ The corrected and/or substitute drawings were received on _____.
6. ☐ The reason(s) below.

David Wu

DAVID W. WU
PATENT EXAMINER
GROUP 1500

PTO-1432 (REV. 5-83)

C- 40,121-AB



Received NEW PATENT APPLICATION in the U.S. Patent Office re:
Rule 1.62 Continuation Fee Sheet
(original & 2 copies)

Title: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

Applicant: Pak-Wing Steve Chum, et al.

~~Pages of Spec.~~

Number of Claims: 15

Sheets of Drawings: 0

~~Declaration attached~~

Fee: $ 730.00 charged to our Deposit Account



LWW/ika

Mailed via Express Mail
January 27, 1995

08/378998

PTO-103X
(Rev. 7-93)

FILING RECEIPT

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

MAILED TO MIDLAND

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/378,998	01/27/95	1505	$730.00	C-40.121-AB	2	15	2

THE DOW CHEMICAL COMPANY
PATENT DEPARTMENT B 1211
2301 NORTH BRAZOSPORT BLVD
FREEPORT TX 77541

RECEIVED
MAR 3 1995
PATENT DEPT. TEXAS

Receipt is acknowledged of this patent application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s) PAK-WING STEVE CHUM, LAKE JACKSON, TX; GEORGE W. KNIGHT, LAKE JACKSON, TX; RONALD P. MARKOVICH, FRIENDSWOOD, TX; SHIH-YAW LAI, SUGAR LAND, TX.

CONTINUING DATA AS CLAIMED BY APPLICANT-
THIS APPLN IS A CON OF 08/054,379 04/28/93
WHICH IS A CON OF 07/776,130 10/15/91 PAT 5,272,236

TITLE
FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

PRELIMINARY CLASS: 526

(see reverse)

IN UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pak-Wing Steve Chum, et al.
Serial No.: 08/054,379
Filed: April 28, 1993
Group Art Unit: 1505
Examiner: D. Wu
For: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

"Express Mail" mailing label number TB 184 380 515
Date of Deposit January 27, 1995
I hereby certify that this paper or fee is being deposited with the United States Postal Service, with sufficient postage "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231
Jan Alverson
(Typed or printed name of person mailing paper or fee)
(Signature of person mailing paper or fee)

BOX FWC
The Commissioner of Patents and Trademarks
Washington D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part) application under 37 C.F.R. 1.62.

1. The following information is provided in accordance with 37 C.F.R. 1.62(h) (if different from originally filed or that stated in the Declaration and Power of Attorney presently of record):
   (a) Title:
   (b) Names and addresses of Applicant(s):

2. Priority claim ☐ has ☒ has not been made pursuant to 35 USC 119, and if so, is identified as follows:

3. ☐ Cancel in this application claims _____ of the prior application before calculating the filing fee.

4. ☐ A Preliminary Amendment is enclosed.

5. ☒ The filing fee is calculated below.

For	Number Filed		Number Extra		Rate	Basic Fee $730.00
Total Claims	15	- 20 =	0	x	$ 22.00 =	0
Independent Claims	2	- 3 =	0	x	$ 76.00 =	0
Multiple Dependent Claims Presented					$240.00 =	0
Total Filing Fee					=	$ 730

6. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Account No. 04-1512. This sheet is enclosed in triplicate.

7. ☒ Amend the specification by inserting after Title of the Invention: -- Cross-Reference to Related Application. This is a ☒ continuation ☐ divisional ☐ continuation-in-part of application Serial No. 08/054,379, filed April 28, 1993. --

8. ☐ A new declaration or oath is attached pursuant to 37 C.F.R. 1.62(c).

9. ☐ New drawings are enclosed.

10. ☒ The inventorship of this application is the same as that of the prior copending U.S. application.
    ☐ Fewer inventors are to be named in this application than in the prior copending U.S. application. Delete _____ as inventor(s) in this application.
    ☐ The inclusion of additional claimed subject matter in this application requires that additional inventor(s) be named. The additional inventor(s) are identified in No. 1 above and a new oath or declaration is enclosed.

11. ☐ Enter the amendment previously filed on _____, but unentered, in the prior application.

12. ☐ A new Disclosure Statement is enclosed.
    ☒ Applicant(s)' Disclosure Statement is as filed with the parent application.

13. ☒ The Power of Attorney in the prior application is to STEPHEN P. KRUPP, Reg. No. 34,366; L. Wayne White, Reg. No. 25,415; Glenn H. Korfhage, Reg. No. 27,204; Richard G. Waterman, Reg. No. 20,128.
    Please address all communications to The Dow Chemical Company, Patent Department, B-1211, 2301 N. Brazosport Blvd., Freeport, Texas 77541.
    a. ☒ The power appears in the original papers in the prior application.
    b. ☐ The power does not appear in the original papers. A copy of the power in the prior application is enclosed.
    c. ☒ Recognize as Associate Attorney Noreen D. Warrick whose Registration No. is 34,573 and whose phone number is 409-238-4510.

1/27/95
(Date)

L. Wayne White
Registration No. 25,415
Phone: 409-238-2149

C-40,121-AB
NDW/jka

CRYSTAL PATENT SERVICES® LTD.
Eva M. Pelfrey

Suite 506-2001 Jefferson Davis Highway
Arlington, Virginia 22202
(703) 415-0680

FAX No. (703) 415-0682

September 30, 1995

Re: S.N. 08/ 378,998, Filed 01/27/95
to Chum
Your Ref:
My Ref: 5092053

Dear Mr. McKinney:

In the matter of the above-mentioned application, this is to advise that the Extension of Time and related papers were hand-delivered personally to Examiner Wu in Group Art Unit 150 September 21, 1995 as shown by the enclosed, date-initialed receipt.

Best regards.

Jason

C- 40,121-AB

Received in the U.S. Patent and Trademark Office:
3 Mo. Ext. of Time plus 2 copies
Added Claims Fee Sheet plus 2 copies
Response After Final Rejection
Declaration of Ronald P. Markovich

Applicant: Pak-Wing Steve Chum
Serial No.: 08/378,998
Filed: January 27, 1995
Title: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

OKM/mfg

9/21/95

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pak-Wing Steve Chum et al.

Serial No.: 08/378,998 Group Art Unit: 1505

Filed: January 27, 1995 Examiner: David Wu

For: FABRICATED ARTICLES MADE FROM ETHYLENE POLYMER BLENDS

OCT 9 1996

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

EXTENSION OF TIME

Applicant(s) hereby request(s) that the shortened statutory period for response now set to expire July 18, 1995 in this application be extended for a period of three (3) month(s), the extended period then expiring on October 18, 1995. This is a first request for an extension of time.

Please charge $870 to our Deposit Account No. 04-1512. If this estimate is incorrect, please charge or credit our account accordingly. Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

By _____
Osborne K. McKinney
Registration No. P-40,084
Phone: (409) 238-7889

Freeport, Texas 77541

OKM/mfg
C-40,121-AB