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March 21, 2005

**VIA FACSIMILE AND
OVERNIGHT MAIL**

John L. Conway, Esq.
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02210

Re: Reissue Application Ser. No. 10/229,993
Your File No. 1945/A27
Titled: MOBILE X-RAY INSPECTION SYSTEM FOR LARGE OBJECTS

Dear Mr. Conway:

We represent L-3 Communications Security and Detection Systems Corporation Delaware (L-3), and are writing to you concerning a reissue application (Ser. No. 10/229,993 – your file no. 1945/A27) you are prosecuting on behalf of American Science and Engineering, Inc.

Based upon our review of the electronic file wrapper of the application, which is publicly available, it appears that you are concealing from the patent examiner the fact that AS&E offered for sale, and in fact sold, a prototype Mobile CargoSearch system to the U.S. Army in October of 1994. Because the contract was signed more than one year before the earliest filing date to which the reissue application can claim priority, the subject of the sale is prior art to the application.

For your reference, a copy of a memorandum we recently filed on behalf of L-3 is attached that outlines the reasons why the prior art sale is invalidating prior art to certain claims of U.S. Patent No. 5,903,623. It is our belief that the pre-critical date sale would render unpatentable the pending claims of the reissue application for the same reasons.

As an individual owing a duty of good faith and candor to the PTO, we trust that you will bring this information, including all relevant pleadings in the civil action with L-3 (which your colleague, Erik Belt, should be able to supply), to the attention of the examiner immediately.



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March 21, 2005
Page 2

We recommend that, pursuant to 37 C.F.R. 1.313(c)(2), you withdraw the application from issue for the purpose of making this information of record by way of a request for continued examination (RCE). If you fail to do so, this letter, and its contents, will be cited against your client as evidence of inequitable conduct.

Very truly yours,

WOLF, GREENFIELD & SACKS, P.C.



Robert M. Abrahamsen

RMA
Enclosure

cc: Erik P. Belt, Esq.
John F. Ward, Esq.