

EXHIBIT E



PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2006 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 106842005400																									
Application Number 10/722,948		Filed November 25, 2003																									
For TOUCH PAD FOR HANDHELD DEVICE																											
Art Unit 2629		Examiner R. Liang																									
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:45%;"></th> <th style="width:15%; text-align: center;">Fee</th> <th style="width:15%; text-align: center;">Small Entity Fee</th> <th style="width:25%;"></th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$120</td> <td style="text-align: center;">\$60</td> <td style="text-align: right;">\$ 120.00</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$450</td> <td style="text-align: center;">\$225</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1020</td> <td style="text-align: center;">\$510</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1590</td> <td style="text-align: center;">\$795</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2160</td> <td style="text-align: center;">\$1080</td> <td style="text-align: right;">\$ _____</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>03-1952</u> I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.</p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>31,942</u></p> <p><input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p style="text-align: center;"><u>Alex Chartove</u> Signature</p> <p style="text-align: center;">April 12, 2007 Date</p> <p style="text-align: center;">Alex Chartove Typed or printed name</p> <p style="text-align: center;">(703) 760-7744 Telephone Number</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> Total of <u>1</u> forms are submitted.</p>					Fee	Small Entity Fee		<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ 120.00	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____
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REMARKS

Claims 20, 25, 29 and 30 have been canceled. Claims 1-19, 21-24, 26-28 and 31-39 have been amended and remain in the application. Various claim amendments have been made in an effort to improve grammar and syntax. No new matter has been added. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Applicants note with appreciation the examiner's indication of allowable subject matter in claims 26 and 31-33. In accordance with the examiner's indication, claims 26 and 31-33 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 21-24, 27 and 28 have been amended to depend from allowable claim 26. Claim 34 has been amended to depend from allowable claim 31. It is respectfully submitted that claims 21-24, 27, 28 and 34, as amended, are in condition for allowance for at least the same reasons as allowable claims 26 and 31.

Claims 1, 5-13 and 16-19 were rejected under 35 U.S.C. 102(b) as being anticipated by Bertram (USP 5,613,137). Claims 29-30, 34-36 and 38 were rejected under 35 U.S.C. 102(b) as being anticipated by Yates (USP 6,750,803). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram in view of Matzke (USP 4,736,191). Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram. Claims 2-4, 20-25, 27-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram in view of Yoshinobu et al. (US Patent No. 5,777,605). Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yates in view of Bertram. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yates in view of Matzke.

These rejections are respectfully traversed with respect to the claims, as amended.

The claims, as amended, are directed to methods and devices comprising a number of elements in combination. In representative amended claim 1, for example, the amended claim is directed to a touch pad assembly comprising a touch pad having one or more sensors that map the touch pad plane into native sensor coordinates and a controller that divides the surface of the touch

pad into logical device units. In the claimed combination the controller compares a current set of native values and a prior set of native values and identifies the current set of native values as noise events or actual events, depending whether the current set of native values and the prior set of native values are substantially similar. Support for this recitation can be found, for example, beginning at paragraph 0049 of the present application and in the claims of the application as originally filed. No new matter has been added.

A similar combination of elements is neither disclosed nor suggested in any of the cited references, viewed alone or in combination. None of the prior art references, alone or in combination, discloses or fairly suggests a combination wherein a current set of native values is compared with a prior set of native values and the current set of native values is classified as noise events when the current set of native values is substantially similar to the previous set of native values and classified as actual events when the current set of native values is significantly different than the previous set of native values, as recited in amended claim 1. Claims 2-19, 21-24, 26-28 and 31-39 have been amended to recite a similar combination of features.

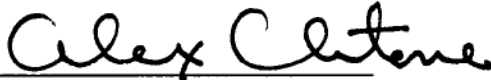
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 106842005400.

Dated: April 12, 2007

Respectfully submitted,

By 

Alex Chartove

Registration No.: 31,942

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AMENDMENTS TO THE CLAIMS

1. (Currently amended) A touch pad assembly, comprising:
a touch pad having a surface and one or more sensors that configured to map the touch pad surface into native sensor coordinates; and
a controller ~~that~~ configured to
~~divides the surface of the touch pad into~~ define one or more logical device units associated with the surface of the touch pad,
~~receives the~~ receive from the one or more sensors native values ~~[[of]]~~ associated with the native sensor coordinates ~~from the sensors,~~
~~adjusts~~ adjust the native values ~~[[of]]~~ associated with the native sensor coordinates into ~~[[a]]~~ new value values associated with the logical device units and
~~reports~~ report the ~~new value of the logical device units~~ values to a host device, the logical device units ~~representing~~ associated with areas of the touch pad that can be actuated by a user,
wherein the controller is configured to compare a current set of native values and a prior set of native values and identify the current set of native values as associated with noise events or actual events depending whether the current set of native values and the prior set of native values are substantially similar.

2. (Currently amended) The touch pad assembly as recited in claim 1 wherein the controller ~~passes~~ is configured to pass the native values ~~of the native sensor coordinates~~ through a filtering process before adjusting the native values into ~~a new value~~ new values.

3. (Currently amended) The touch pad assembly as recited in claim 2 wherein the filtering process includes determining if the native values are ~~based on~~ associated with noise events or actual events.

4. (Currently amended) The touch pad assembly as recited in claim 3 wherein the controller ~~filters~~ is configured to filter out the noise events and allows allow the actual events to pass ~~through~~.

5. (Currently amended) The touch pad assembly as recited in claim 1 wherein the controller ~~further determines~~ is configured to determine if there is a significant change has been made ~~difference~~ between the a current native value and last a previously received native values value, and ~~only reports the new value~~ to report a new value only when ~~there is~~ a significant change has been made ~~difference~~ between the current native value and last a previously received native values value.

6. (Currently amended) The touch pad assembly as recited in claim 1 wherein the native sensor coordinates ~~[[are]]~~ comprise Cartesian coordinates.

7. (Currently amended) The touch pad assembly as recited in claim 1 wherein the native sensor coordinates ~~[[are]]~~ comprise Polar coordinates.

8. (Currently amended) The touch pad assembly as recited in claim 1 wherein the logical device units ~~[[are]]~~ comprise Cartesian coordinates.

9. (Currently amended) The touch pad assembly as recited in claim 1 wherein the logical device units ~~[[are]]~~ comprise Polar coordinates.

10. (Currently amended) The touch pad assembly as recited in claim 1 wherein the new ~~value~~ values of the logical device units are reported in an absolute mode.

11. (Currently amended) The touch pad assembly as recited in claim 1 wherein the new ~~value~~ values of the logical device units are reported in a relative mode.

12. (Currently amended) The touch pad assembly as recited in claim 1 wherein the new ~~value~~ values of the logical device units are reported in a Cartesian absolute mode, a Cartesian relative mode, a Polar absolute mode or a Polar relative mode.

13. (Currently amended) The touch pad assembly as recited in claim 1 wherein the new ~~value~~ values of the logical device units ~~implements~~ implement a specific control function in the host device.

14. (Currently amended) The touch pad assembly as recited in claim 1 wherein the logical device units ~~[[are]]~~ comprise angular Polar units distributed around the surface of the touch pad in a clock like manner.

15. (Currently Amended) The touch pad assembly as recited in claim 1 wherein the ~~ratio of~~ native sensor coordinates ~~[[to]]~~ and the logical device units ~~[[is]]~~ define a ratio between about 1024:1 to about 8:1.

16. (Currently Amended) The touch pad assembly as recited in claim 1 ~~further~~ comprising one or more touch buttons having one or more sensors, ~~[[and]]~~ wherein the controller ~~receives~~ is configured to receive a native value from the one or more sensors, ~~determines~~ determine a button status from the native value, and ~~reports~~ report the button status to a host device, the button status being used by the host device to implement a button function in the host device.

17. (Currently amended) The touch pad assembly as recited in claim 16 wherein the controller only reports the button status to the host device when ~~it is determined that~~ there is a change in button status.

18. (Currently amended) The touch pad assembly as recited in claim 1 wherein each of the logical device units ~~represent~~ is associated with a different movement direction on a display screen of the host device ~~so as to enable joystick implementations, multiple dimensional menu selection or photo image panning.~~

19. (Currently amended) The touch pad assembly as recited in claim 1 wherein the host device ~~[[is]]~~ comprises a media player ~~for storing and playing~~ configured to at least one of store and

~~play media such as~~, the media comprising at least one of audio, video [[or]] and images, the media player including comprising a housing that supports configured to support the touch pad assembly, a display for displaying configured to display at least one of text and graphics to a user of the media player and a CPU capable of receiving configured to receive the new value of the logical device units from the controller and issuing issue commands based on the new value of logical device units to other components of the media player, the commands being used to enabling at least move movement of an object on the display.

20. (Canceled).

21. (Currently amended) The method as recited in claim ~~[[20]]~~ 26 wherein the control signal includes the native values of the native sensor coordinates.

22. (Currently amended) The method as recited in claim ~~[[20]]~~ 26 further comprising: adjusting the native values of the native sensor coordinates into ~~[[a]] new value~~ values when a desired event occurs on the touch pad, the control signal including the new ~~value~~ values.

23. (Currently amended) The method as recited in claim ~~[[20]]~~ 26 wherein the new ~~value has the same units as~~ values and the native values are described using identical units.

24. (Currently amended) The method as recited in claim ~~[[20]]~~ 26 wherein the new ~~value has different units as~~ values and the native values are described using different units.

25. (Canceled).

26. (Currently amended) ~~The method as recited in claim 25~~ A method comprising: mapping a touch pad into native sensor coordinates, producing a native value associated with a native sensor coordinate when at least one of several different types of events occur on the touch pad,

filtering the native value based on the type of event,
generating a control signal based on the native value when a desired event occurs on the
touch pad,

wherein the step of filtering comprises determining whether the native value is associated
with a noise event or an actual event, filtering a noise event and passing an actual event, and

wherein the step of determining comprises: comparing a current set of native values with a last set of native values; classifying the current set of native values as noise events when the current set of native values is substantially similar to the previous set of native values; and classifying the current set of native values as actual events when the current set of native values is significantly different than the previous set of native values.

27. (Currently amended) The method as recited in claim ~~[[25]]~~ 26 wherein the control signal includes native values ~~[[of]]~~ associated with the native sensor coordinates if ~~it is determined that~~ the events are actual events.

28. (Currently amended) The method as recited in claim ~~[[25]]~~ 26 further comprising: adjusting the native values of the native sensor coordinates into a new value if it is determined that the events are actual events, and including the new value in the control signal.

29-30. (Canceled).

31. (Currently amended) ~~The method as recited in claim 30~~ A signal processing method for a controller of a touch pad, comprising:

receiving a current user location,

determining a difference in user location by comparing the current user location and a last user location,

outputting the current user location when the difference in user location exceeds a threshold value,

converting the outputted current user location into a logical device unit, and

generating a message for a host device, the message including the more logical user location, the more logical user location being used by the host device to move a control object in a specified manner,

wherein the threshold value corresponds to the number of sensor levels that need to be changed in the touch pad in order to report a change in the user location and

wherein the threshold is determined by the following equation:

Threshold (T) = C*(native sensor resolution of the touch pad/logical device resolution of the touch pad),

where

the native sensor resolution ~~defines~~ represents the maximum number of different user locations ~~that detectable by the sensors of the touch pad are able to detect over the touch pad plane,~~

the logical device resolution ~~defines~~ represents the number of logical device units ~~that reported to the host device by the touch pad reports to the host device,~~ and

C defines the width border area between clusters of sensors of the touch pad that define one logical device unit.

32. (Currently amended) The method as recited in claim 31 wherein ~~the coefficient C~~ [[is]] has a value between about 0 and 0.5.

33. (Original) The method as recited in claim 31 wherein the native sensor resolution is about 1024 and the logical device resolution is about 128.

34. (Currently amended) The method as recited in claim [[29]] 31 further comprising: storing the current user location for subsequent processing, the current user location acting as the last user location in subsequent processing.

35. (Currently amended) In a computer system that facilitates bidirectional communications between a touch pad assembly and a host device, a message from the touch pad assembly to the host device, the message comprising: an event field identifying whether the message is a touch pad event

or a button event; an event identifier field identifying at least one event parameter, each event parameter having an event value, the event value for a touch pad event parameter indicating an absolute position, the event value for a button event parameter indicating button status, the system comprising a controller configured to compare a current set of native values and a prior set of native values and identify the current set of native values as noise events or actual events depending on whether the current set of native values and the prior set of native values are substantially similar.

36. (Currently amended) A touch pad assembly system capable of transforming a user action into motion onto a display screen, the touch pad system including a touch pad whose entire touch sensing surface is divided into a plurality of independent and spatially distinct actuation zones, each of which includes a plurality of sensing nodes of the touch sensing surface, and each of which represents a different control function, the system comprising a controller configured to compare a current set of native values and a prior set of native values and identify the current set of native values as noise events or actual events depending on whether the current set of native values and the prior set of native values are substantially similar.

37. (Currently amended) The touch pad assembly system as recited in claim 36 wherein each of the actuation zones are button zones that represent different movement direction on the display screen so as to enable joystick implementations, multiple dimensional menu selection or photo image panning.

38. (Currently amended) The touch pad assembly system as recited in claim 36 wherein the actuation zones are substantially the same size and shape and include substantially the same number of sensing nodes of the touch sensing surface.

39. (Currently amended) The touch pad assembly system as recited in claim 36 wherein the touch sensing surface is circular, wherein the touch sensing nodes of the touch sensing surface are positioned at least angularly around the circular touch sensing surface, and wherein the actuation zones are positioned at least angularly around the circular touch sensing surface.



TW
AFB

PTO/SB/21 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Application Number	10/722,948
		Filing Date	November 25, 2003
		First Named Inventor	Greg MARRIOTT
		Art Unit	2629
		Examiner Name	R. Liang
Total Number of Pages in This Submission	14	Attorney Docket Number	106842005400

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature	<i>Alex Chartov</i>		
Printed name	Alex Chartov		
Date	April 12, 2007	Reg. No.	31,942



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2007		Complete if Known		
		Application Number	10/722,948	
		Filing Date	November 25, 2003	
		First Named Inventor	Greg MARRIOTT	
		Examiner Name	R. Liang	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2629	
TOTAL AMOUNT OF PAYMENT	(\$)	120.00	Attorney Docket No.	106842005400

METHOD OF PAYMENT (check all that apply)

Check
 Credit Card
 Money Order
 None
 Other (please identify):/ _____

Deposit Account
 Deposit Account Number: 03-1952
 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below
 Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)** **Multiple Dependent Claims**
 35 - = _____ x _____ = _____ **Fee (\$)** **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
 5 - = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/50 _____ (round up to a whole number) x _____	= _____	_____

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge): 1251 Extension for response within first month	120.00

SUBMITTED BY

Signature	<i>Alex Chartove</i>	Registration No. (Attorney/Agent)	31,942	Telephone	(703) 760-7744
Name (Print/Type)	Alex Chartove	Date	April 12, 2007		



Docket No.: 106842005400
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Greg MARRIOTT et al.

Application No.: 10/722,948

Confirmation No.: 9619

Filed: November 25, 2003

Art Unit: 2629

For: TOUCH PAD FOR HANDHELD DEVICE

Examiner: R. Liang

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the final Office Action dated December 12, 2006, for which a response was due on March 12, 2007. Filed herewith is a Petition and fee for a one month extension of time, thereby extending the deadline for response to April 12, 2007. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

va-193441