

Re: Chinese Design Patent No. 200730148719.0;
You Ref: APL1D562A.CN.A
Our Ref: LIW080036

parts easily seen in use, makes a greater influence on the whole visual effect despite the slight differences between the rear views or left side views and right side views of the two products. Therefore, the products of evidence 5 and the present patent do not have prominent differences in the whole visual effect and possess the similarity.

Evidence 6 shows a Chinese patent for design No. 200730148767.x with a title "DATA PROCESSING DEVICE", which has the same filling date of Jun. 29, 2007 as the present patent. Firstly, the present patent pertains to a mobile communication device which usually has the function of data download and data processing. Some of the uses of the product disclosed by evidence 6 and the present patent are identical, and thus the two products are regarded as products of approximate classes. Secondly, the front view disclosed in evidence 6 and that of the present patent are completely identical. The front view, which shows the parts easily seen in use, makes a greater influence on the whole visual effect despite the slight differences between the rear views or left side views and right side views of the two products. Therefore, the products of evidence 6 and the present patent do not have prominent differences in the whole visual effect and possess the similarity.

According to the above-mentioned evidences 5-6, the present patent and evidences 5-6 are identical designs, thereby failing to comply with Rule.13 (1) of the Implementing Regulations of the Chinese Patent Law.

To sum up, the above-mentioned evidences prove that there are similar designs which have been publicly disclosed in publications in china before the date of filing of the present patent, so that the present patent obviously does not comply with Art.23 of the Chinese Patent Law and Rule.13 (1) of the Implementing Regulations of the Chinese Patent Law. The petitioner therefore requests the Board to declare the above mentioned patent for design completely invalid.

Petitioner: Shanghai Leon Networks Information Co. Ltd

Patent Attorney: Advance China I.P. Law Office

Zeng Minhui Zhao Lei

Nov. 12, 2008

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

STATEMENT UNDER 37 CFR 3.73(b) Atty. Docket No. 2607.0600001(P4984USC3)

Applicant/Patent Owner: Apple Inc.

Application No./Patent No.: 29/282,833 Filed/Issue Date: July 30, 2007

Entitled: Electronic Devie

Apple Inc., a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. the assignee of the entire right, title, and interest; or
- 2. an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 019095, Frame 0269, or for which a copy therefore is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

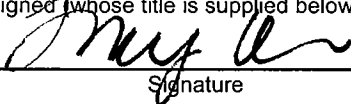
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature

February 9, 2009
Date

Tracy-Gene G. Durkin
Printed or Typed Name

202.371.2600
Telephone Number

Attorney for the Applicant
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number: 63975

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer Number: 63975

OR

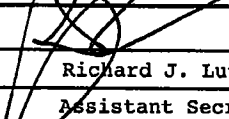
<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone			Email

Assignee Name and Address:
 Apple Inc.
 1 Infinite Loop
 Cupertino, CA 95014

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	May 14, 2007
Name	Richard J. Lutton	Telephone	(408) 974-9453
Title	Assistant Secretary and Chief Patent Counsel		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Acknowledgement Receipt

EFS ID:	4759253
Application Number:	29282833
International Application Number:	
Confirmation Number:	3463
Title of Invention:	Electronic Device
First Named Inventor/Applicant Name:	Bartley K. ANDRE
Customer Number:	63975
Filer:	Tracy-Gene G. Durkin/Dana Bennett Jackson
Filer Authorized By:	Tracy-Gene G. Durkin
Attorney Docket Number:	2607.0600001(P4984USC3)/T
Receipt Date:	09-FEB-2009
Filing Date:	30-JUL-2007
Time Stamp:	16:48:48
Application Type:	Design

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$180
RAM confirmation Number	2543
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		26070600001cvrltrpoa373b.pdf	160500 50e28846466122c855cede688200d399971e462d	yes	3
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Miscellaneous Incoming Letter	1	1	
		Power of Attorney	2	2	
		Assignee showing of ownership per 37 CFR 3.73(b).	3	3	
Warnings:					
Information:					
2		26070600001secondsuppids.pdf	329336 6c05804243e3fdcbaf778367884ff4c0a32a3921b	yes	8
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Information Disclosure Statement Letter	1	5	
		Information Disclosure Statement (IDS) Filed (SB/08)	6	8	
Warnings:					
Information:					
3	Foreign Reference	2607fp3fp6.pdf	221889 2ca0bbd61ca9500bf11b708af2461313583dec7b	no	17
Warnings:					
Information:					
4	NPL Documents	2607npl15npl21.pdf	4953195 79746b8699d32580a9b48ac75dba21c72549fc23	no	87
Warnings:					
Information:					
5	Fee Worksheet (PTO-06)	fee-info.pdf	30109 71d2633d8d76ae710319870e5c8916b6a1f35882	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			5695029		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Patent Application Fee Transmittal

Application Number:	29282833
Filing Date:	30-Jul-2007
Title of Invention:	Electronic Device
First Named Inventor/Applicant Name:	Bartley K. ANDRE
Filer:	Tracy-Gene G. Durkin/Dana Bennett Jackson
Attorney Docket Number:	2607.0600001(P4984USC3)/T

Filed as Large Entity

Design Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
Total in USD (\$)				180



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Goldstein Fox**
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*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

February 9, 2009

WRITER'S DIRECT NUMBER:
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Art Unit 2913

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Design Patent Application
Application No. 29/282,833; Filing Date: July 30, 2007
For: **Electronic Device**
Inventors: ANDRE *et al.*
Our Ref: 2607.0600001(P4984USC3)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Authorization for \$180.00 to cover the fee for the Information Disclosure Statement;
2. A copy of an original executed Power of Attorney to Prosecute Applications Before the USPTO;
3. Statement Under 37 C.F.R. § 3.73(b);
4. Second Supplemental Information Disclosure Statement;
5. Three pages of Forms PTO/SB/08A and PTO/SB/08B listing documents FP3-FP6 and NPL15-NPL29; and
6. Copies of FP3-FP6 and NPL15-NPL21.

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

TGD/AKS:dbj

Enclosures

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

934728_1.doc

APLPROS0000010709

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ANDRE *et al.*

Appl. No.: 29/282,833

Filed: July 30, 2007

For: **Electronic Device**

Confirmation No.: 3463

Art Unit: 2916

Examiner: Eland, Bridget L.

Atty. Docket:

2607.0600001(P4984USC3)/TGD/AKS

Second Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure

Atty. Dkt. No. 2607.0600001(P4984USC3)/TGD/AKS

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$0.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign

patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
7. Copies of document **FP3-FP6** and **NPL15-NPL21** are submitted. Further, **NPL22-NPL29** are believed to be stored in the Image File Wrapper System. Thus, copies of these documents are not attached. MPEP 1406; 1287 O.G. 163 (Oct. 19, 2004).

8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
9. It is expected that the examiner will review the prosecution and cited art in the parent application no. 29/270,880; filed January 5, 2007 in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

Date: February 9, 2009

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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Atty. Dkt. No. 2607.0600001(P4984USC3)/TGD/AKS

APLPROS0000010714



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

63975 7590 03/24/2009

STERNE KESSLER GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
ELAND, BRIDGET L
ART UNIT PAPER NUMBER

2916
DATE MAILED: 03/24/2009

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

TITLE OF INVENTION: ELECTRONIC DEVICE

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

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

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

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

63975 7590 03/24/2009

STERNE KESSLER GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Form with fields for Depositor's name, Signature, and Date.

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

TITLE OF INVENTION: ELECTRONIC DEVICE

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE.

Table with 3 columns: EXAMINER, ART UNIT, CLASS-SUBCLASS.

Form with 2 main sections for change of correspondence address and printing on patent front page.

Form section 3: ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT.

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

Form sections 4a and 4b: The following fee(s) are submitted; Payment of Fee(s).

Form section 5: Change in Entity Status.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Date
Typed or printed name Registration No.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO.

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



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www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
29/282,833 07/30/2007 Bartley K. ANDRE 2607.0600001(P4984USC3)/T 3463

63975 7590 03/24/2009
STERNE KESSLER GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

Table with 2 columns: EXAMINER (ELAND, BRIDGET L), ART UNIT (2916), PAPER NUMBER. DATE MAILED: 03/24/2009

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

Design patents have a term measured from the issue date of the patent and the term remains the same length regardless of the time that the application for the design patent was pending. Since the above-identified application is an application for a design patent, the patent is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability For A Design Application	Application No. 29/282,833	Applicant(s) ANDRE ET AL.	
	Examiner BRIDGET L. ELAND	Art Unit 2916	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to interview on 1/14/2009 (Dated 01/27/2009 in eDAN).
2. The claim is allowed.
3. Acceptable drawings:
 - (a) The drawings filed on _____ are accepted by the Examiner.
 - (b) Drawing Figures filed on _____ and drawing Figures filed on _____ are accepted by the Examiner.
4. The claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) is acknowledged.
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

Attachment(s)	
1. <input type="checkbox"/> Notice of References Cited (PTO-892)	6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Receipt Date <u>2/9/2009</u>	8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
5. <input type="checkbox"/> Notice of Informal Patent Application	9. <input type="checkbox"/> Other _____.
NOTE:	

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

RESTRICTION ELECTION

This application discloses the following embodiments:

Embodiment 1: FIGS 1-8 drawn to a first electronic device with circular feature.

Embodiment 2: FIGS 9-16 drawn to a second electronic device with display feature.

Embodiment 3: FIGS 17-24 drawn to a third electronic device with oval feature.

Embodiment 4: FIGS 25-32 drawn to a fourth electronic device with display and circular features.

Embodiment 5: FIGS 33-40 drawn to a fifth electronic device with oval and circular features.

Embodiment 6: FIGS 41-48 drawn to a sixth electronic device with oval and display features.

Embodiment 7: FIGS 49-56 drawn to a first front panel with bevelled edge for an electronic device with circular feature.

Embodiment 8: FIGS 57-64 drawn to a first front panel with bevelled edge for an electronic device with display feature.

Embodiment 9: FIGS 65-72 drawn to a first front panel with bevelled edge for an electronic device with oval feature.

Embodiment 10: FIGS 73-80 drawn to a first front panel with bevelled edge for an electronic device with display and circular features.

Embodiment 11: FIGS 81-88 drawn to a first front panel with bevelled edge for an electronic device with oval and circular features.

Embodiment 12: FIGS 89-96 drawn to a first front panel with bevelled edge for an electronic device with oval and display features.

Art Unit: 2916

The above embodiments divide into the following patentably distinct groups of designs:

Group I: Embodiment 1, 2, 3, 4, 5, and 6

Group II: Embodiment 7, 8, 9, 10, 11, and 12

Group(s) I directed to the combination(s) in relation to Group(s) II directed to the subcombination(s)/element(s). The designs as grouped are distinct from each other since under the law a design patent covers only the design disclosed as an entirety, and does not extend to patentably distinct segregable parts; the only way to protect such segregable parts is to apply for separate patents. *Ex parte Sanford*, 1914 C.D. 69, 204 O.G. 1346 (Comm'r Pat. 1914); *Blumcraft of Pittsburgh v. Ladd*, 238 F. Supp. 648, 144 USPQ 562 (D.D.C.1965). It is further noted that combination/subcombination subject matter, if patentably distinct, must be supported by separate claims, whereas only a single claim is permissible in a design patent application. *In re Rubinfield*, 270 F.2d 391, 123 USPQ 210 (CCPA 1959).

The change in scope, from a complete electronic device to a beveled front panel, creates patentably distinct designs. Furthermore, the differences between them are considered major and patentably distinguishing, or are not shown to be obvious modifications of one another. Therefore, the change in appearance by reducing certain design features to broken lines creates patentably distinct designs. Group I and Group II are, therefore, held to have overall appearances that are not basically the same.

Because the designs are distinct for the reason(s) given above, and have acquired separate status in the art, restriction for examination purposes as indicated is proper (35 U.S.C. 121).

The embodiments disclosed within each individual Group have overall appearances that are basically the same. Furthermore, the differences between them are considered minor and patentably indistinct, or are shown to be obvious in view of analogous prior art cited. Therefore, they are considered by the examiner to be obvious variations of one another within the group. These embodiments thus comprise a single inventive concept and are grouped together.

During a telephone discussion with Tracy-Gene G. Durkin on 01/14/2009, election was made without traverse to prosecute the invention of Group II. Affirmation of this election was made during the telephone discussion.

Group I is withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being for a nonelected invention.

EXAMINER'S COMMENT TO DOMESTIC PRIORITY

This application is a proper Continuation of 29/270,880 filed on 01/05/2007.

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REQUIREMENT FOR NEW DRAWING

As a result of the election, FIGS 1-48 must be canceled from the drawing and FIGS 49-96 must be respectively renumbered FIGS 1-48.

Correction of the drawing is required for poor line quality.

The present drawing set is objected to because the line quality is rough and jagged. The lines are also blending together. Details of the design are lost when double lines blend together into one thick black line and when lines are not high quality, clear, and crisp. The quality of the drawings must be such that all details in the drawings are reproducible in the printed patent. See MPEP § 1.84 (I).

A new, formal, and mutually consistent drawing with sharp and well defined lines made up of only FIGS 49-96 respectively renumbered as FIGS 1-48, is now required.

When preparing new drawings in compliance with the requirement therefor, care must be exercised to avoid introduction of anything which could be construed to be new matter prohibited by 35 U.S.C. 132 and 37 CFR 1.121.

Upon receipt, the new drawings required herein will not be reviewed by the examiner. It is therefore of the utmost importance that applicant(s) review the drawing to ensure accuracy, avoidance of new matter, and that the requirements set forth above have been met.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. If all the figures on a drawing sheet are canceled, a replacement sheet is not required. A marked-up copy of the drawing sheet (labeled as "Annotated Sheet") including an annotation showing that all the figures on that drawing sheet have been canceled must be presented in the amendment or remarks section that explains the change to the drawings. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

EXAMINER'S AMENDMENT TO SPECIFICATION

The following changes, agreed to in a telephone conversation with Tracy-Gene G. Durkin on 02/09/2009, have now been made to the Specification originally filed on 7/30/2007 and amended on 11/30/2007:

Art Unit: 2916

EXAMINER'S AMENDMENT TO CROSS REFERENCE

The following paragraph has been added at the end of the third line of paragraph [0001] filed on 07/30/2007, after "thereto.":

--All of the material from the 29/270,880 application that is essential to the claimed design is included herein. Any material in the 29/270,880 application that is not present herein forms no part of the claimed design.--

EXAMINER'S AMENDMENT TO FIGURE DESCRIPTION

As a result of the election, the following changes have been made to the amended figure descriptions set forth in the Specification filed on 11/30/2007:

Paragraph [0049] has been cancelled and the following has been substituted therefor: [0049] Figure 47 is a left side view thereof; and

Paragraph [0050] has been cancelled and the following has been substituted therefor: [0050] Figure 48 is a right side view thereof.

Paragraphs [0051] – [0098] have been cancelled.

EXAMINER'S AMENDMENT TO BROKEN LINE STATEMENT

It was also agreed, in a follow up conversation on 02/27/2009, that in order to more clearly describe what is shown by the broken lines and as set forth by the MPEP § 1503.02 subsection III, the broken line description entered on 11/30/2007 as paragraph [0099] has been cancelled and the following has been substituted therefor:

--The broken lines showing the remainder of the electronic device are directed to environment. The broken lines, within the claimed design, in embodiments 1, 2, and 4 that depict an elongated oval shape and the broken lines, within the claimed design, in embodiments 2, 3, and 6 that depict a circle shape are superimposed on a continuous surface and are for illustrative purposes only. The broken lines, within the claimed design, in embodiments 1, 3, and 5 that depict a large rectangular shape, indicate a non claimed shape below the continuous front surface and are for illustrative purposes only. None of the broken lines form a part of the claimed design.--

EXAMINER'S AMENDMENT TO SPECIAL DESCRIPTION

It was also agreed in the communication noted above, that the special description entered on 11/30/2007 as paragraph [0100] must be cancelled and the following substituted therefor:

--The article is not limited to the scale shown herein. As indicated in the title, the article of manufacture to which the ornamental design has been applied is an electronic device. Examples of an electronic device are a computer, a portable or hand-held electronic device, media player (e.g., music, video and/or game player), media storage device, a personal digital assistant, and/or a communication device (e.g., cellular phone).--

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CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIDGET L. ELAND whose telephone number is (571)272-4675. The examiner can normally be reached Monday - Friday from 7:30 AM to 4:30 PM EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ian Simmons, can be reached on (571) 272-2658. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/B. L. E./
Examiner, Art Unit 2916

/Jeffrey D. Asch/
Primary Examiner, Art Unit 2916

Substitute for form 1449/PTO				Complete if Known	
SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	29/282,833
				Filing Date	July 30, 2007
				First Named Inventor	Bartley K. ANDRE
				Art Unit	2916
				Examiner Name	Eland, Bridget L.
Sheet	1	of	1	Attorney Docket Number	2607.0600001(P4984USC3)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US1				
	US2				
	US3				
	US4				
	US5				
	US6				
	US7				
	US8				
	US9				
	US10				
	US11				
	US12				
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	US14				
	US15				
	US16				
	US17				
	US18				
	US19				
	US20				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	FP3	JP D1159881	12-03-2002			
	FP4	JP D1250487	09-12-2005			
	FP5	KR 30-0394921	12-08-2005			
	FP6	KR 30-0422221	08-11-2006			
	FP					
	FP					
	FP					
	FP					
	FP					

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BLE/

Examiner Signature	/Bridget L. Eland/	Date Considered	02/11/2009
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*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. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Equivalent of Form PTO/SB/08b (11-08)

Substitute for form 1449/PTO				Complete if Known	
SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				<i>Application Number</i>	29/282,833
				<i>Filing Date</i>	July 30, 2007
				<i>First Named Inventor</i>	Bartley K. ANDRE
				<i>Art Unit</i>	2916
				<i>Examiner Name</i>	Eland, Bridget L.
Sheet	1	of	2	<i>Attorney Docket Number</i>	2607.0600001(P4984USC3)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL15	Hilon LG DMB MP3 FM35, posted 06/26/2006, [online], [retrieved on 12-26-2008]. Retrieved from Internet, <URL:http://hilon.com.cn.autobak/a88100005549>, 18 pgs.	
	NPL16	eFashion Magazine, 2004, vol. no. 12, pg. 60, China.	
	NPL17	eFashion Magazine, June 1, 2005, vol. no. 119, pg. 45, China.	
	NPL18	eFashion Magazine, April 2006, vol. no. 172, pg. 26, China.	
	NPL19	Notification and Request for Invalidation of Chinese Patent ZL200730148767.X, Patent Reexamination Board of the State Intellectual Property Office of the PRC and English translation, mailed December 11, 2008, 19 pgs.	
	NPL20	Notification and Request for Invalidation of Chinese Patent ZL2007300148751.9, Patent Reexamination Board of the State Intellectual Property Office of the PRC and English translation, mailed December 11, 2008, 19 pgs.	
	NPL21	Notification and Request for Invalidation of Chinese Patent ZL20073018719.0, Patent Reexamination Board of the State Intellectual Property Office of the PRC and English translation, mailed December 11, 2008, 19 pgs.	
	NPL22	U.S. Appl. No. 29/306,334, Andre <i>et al.</i> , Electronic Device, filed 04-07-2008.	
	NPL23	U.S. Appl. No. 29/306,950, Andre <i>et al.</i> , Electronic Device, filed 04-18-2008.	
	NPL24	U.S. Appl. No. 29/319,239, Andre <i>et al.</i> , Electronic Device, filed 06-05-2008.	

934721_1.DOC

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BLE/

Examiner Signature		Date Considered	
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*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.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO		Complete if Known	
SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		<i>Application Number</i>	29/282,833
		<i>Filing Date</i>	July 30, 2007
		<i>First Named Inventor</i>	Bartley K. ANDRE
		<i>Art Unit</i>	2916
		<i>Examiner Name</i>	Eland, Bridget L.
Sheet	2	of	2
		<i>Attorney Docket Number</i>	2607.0600001(P4984USC3)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL25	U.S. Appl. No. 29/319,377, Andre <i>et al.</i> , Electronic Device, filed 06-06-2008.	
	NPL26	U.S. Appl. No. 29/319,433, Andre <i>et al.</i> , Electronic Device, filed 06-09-2008.	
	NPL27	U.S. Appl. No. 29/324,130, Andre <i>et al.</i> , Electronic Device, filed 09-05-2008.	
	NPL28	U.S. Appl. No. 29/324,137, Andre <i>et al.</i> , Electronic Device, filed 09-06-2008.	
	NPL29	U.S. Appl. No. 29/324,262, Andre <i>et al.</i> , Electronic Device, filed 09-09-2008.	

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BLE/

Examiner Signature	/Bridget L. Eland/	Date Considered	02/11/2009
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*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.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

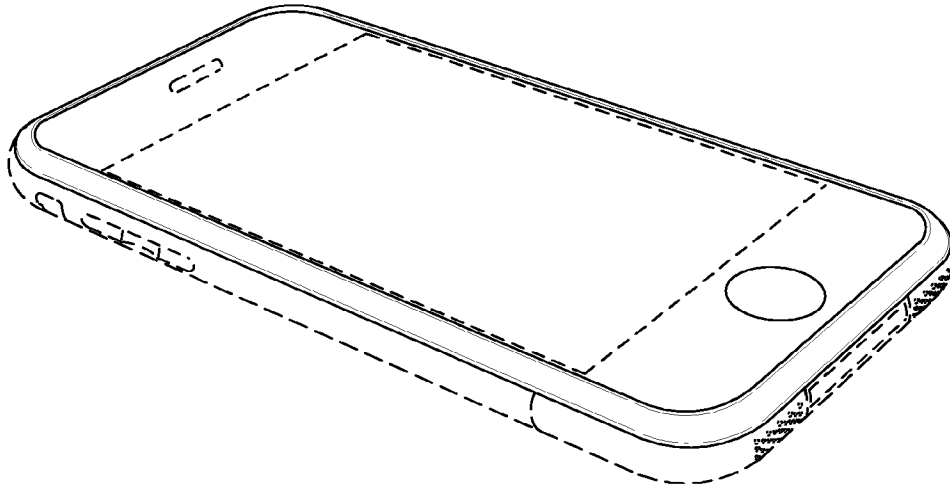


FIG. 1

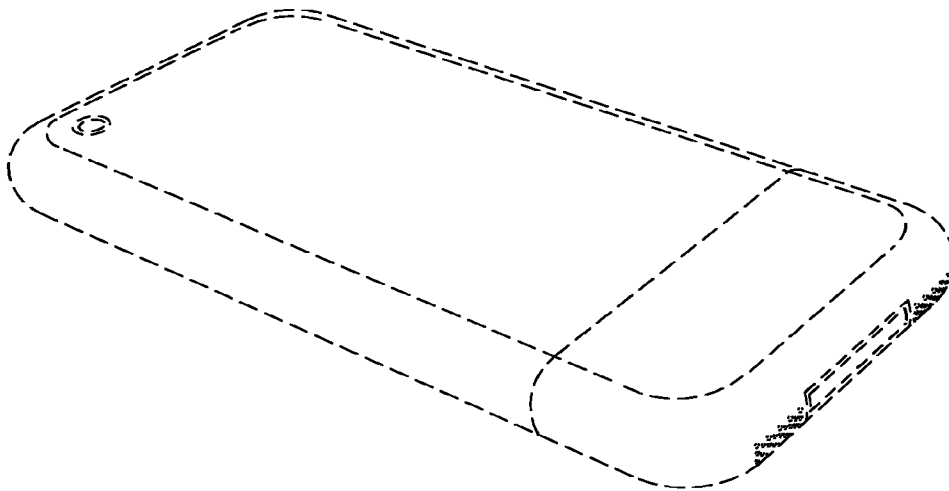


FIG. 2

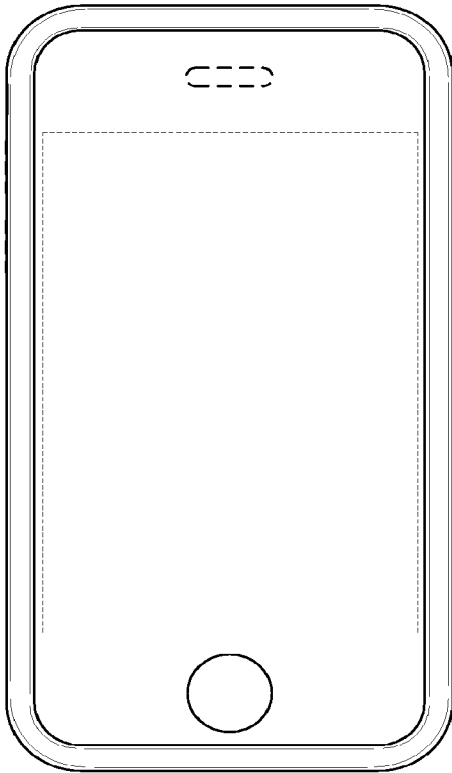


FIG. 3

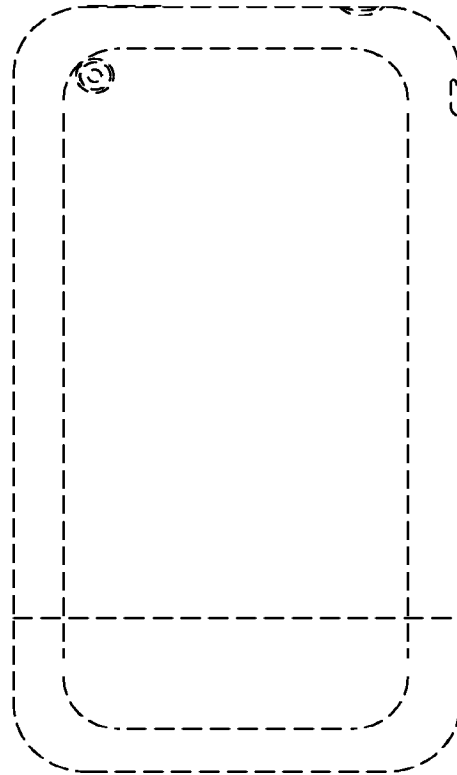


FIG. 4



FIG. 7

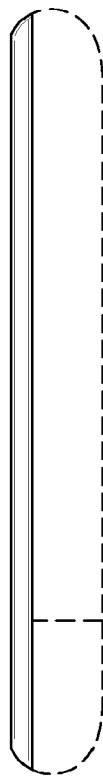


FIG. 8

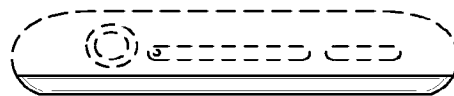


FIG. 5

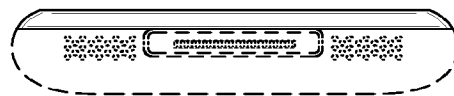


FIG. 6

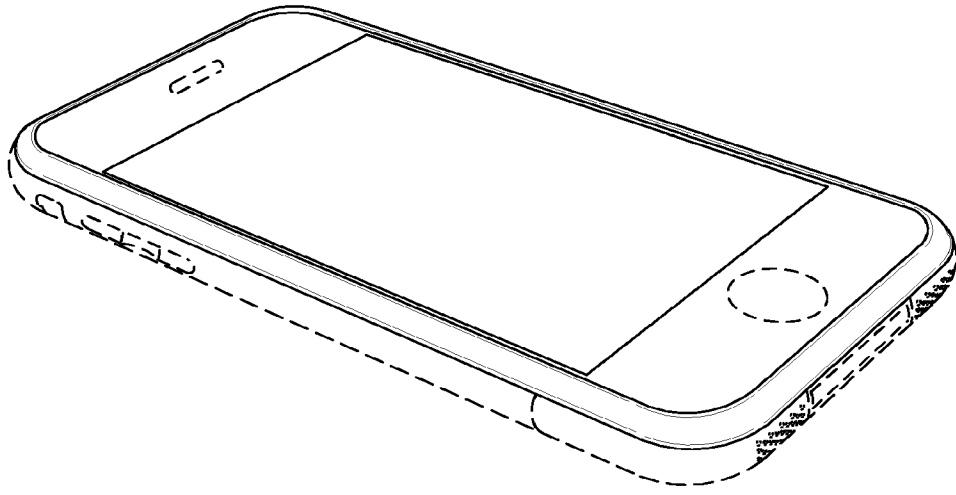


FIG. 9

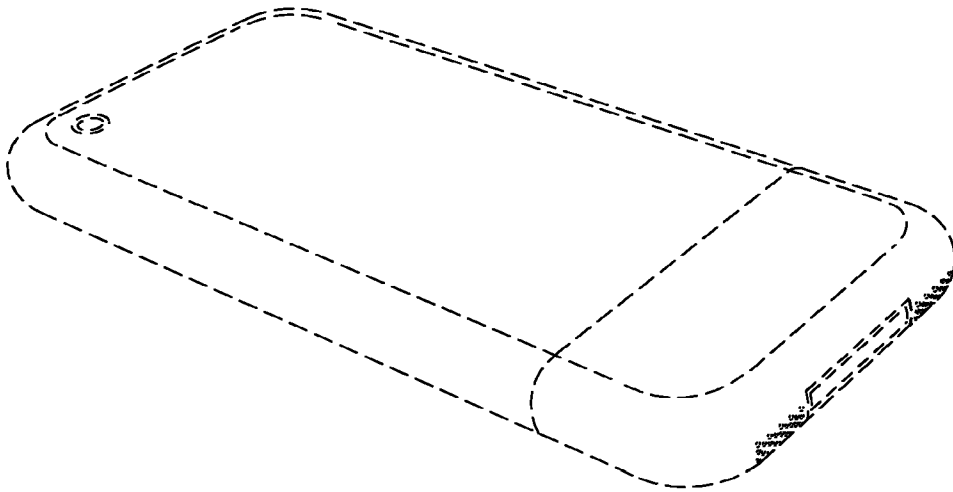


FIG. 10

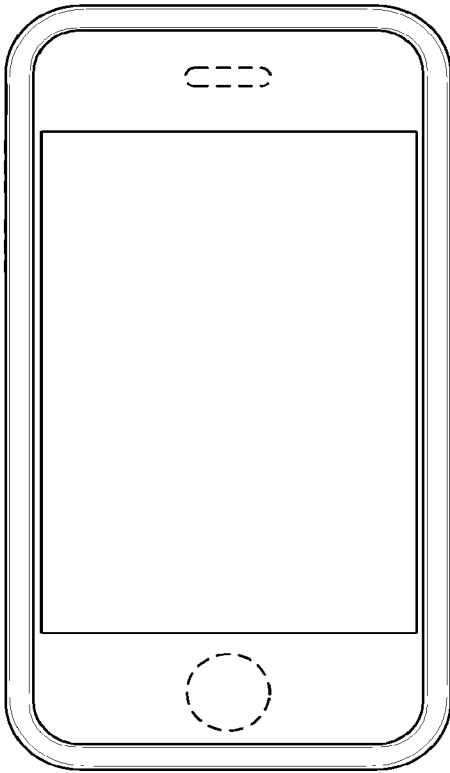


FIG. 11

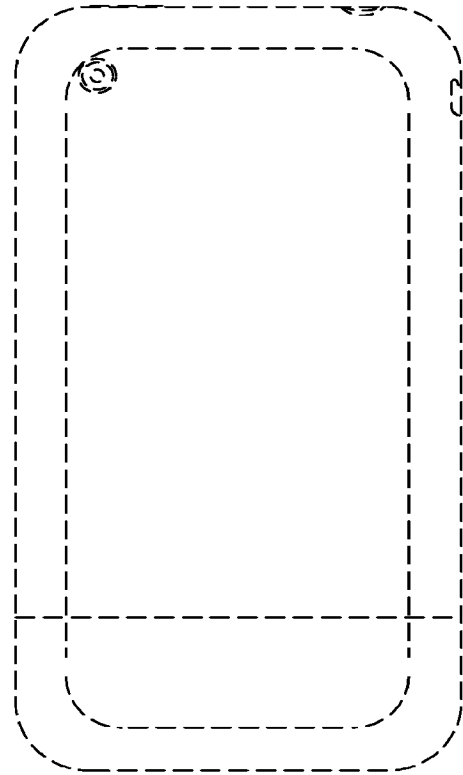


FIG. 12



FIG. 15

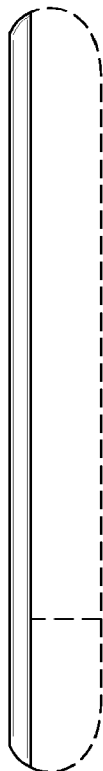


FIG. 16

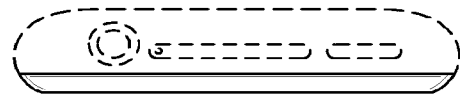


FIG. 13

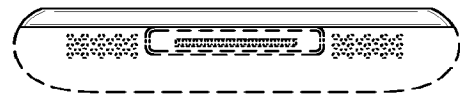


FIG. 14

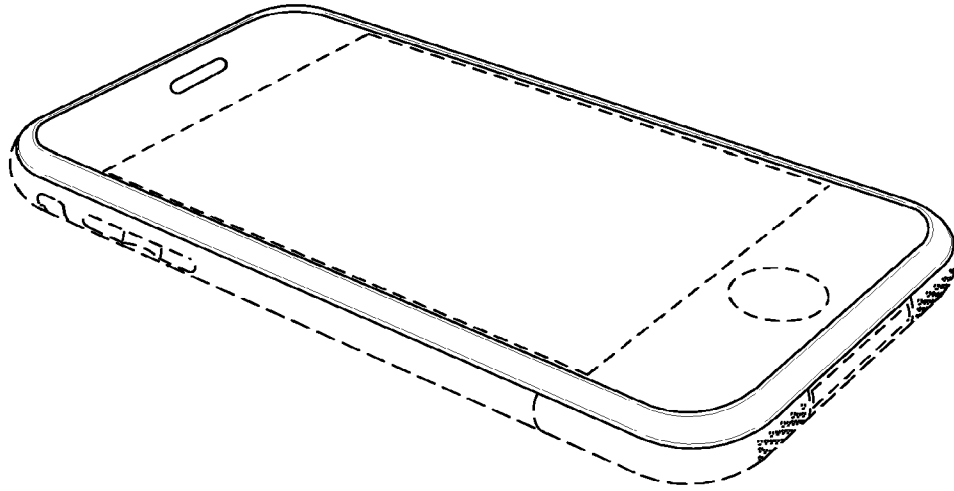


FIG. 17

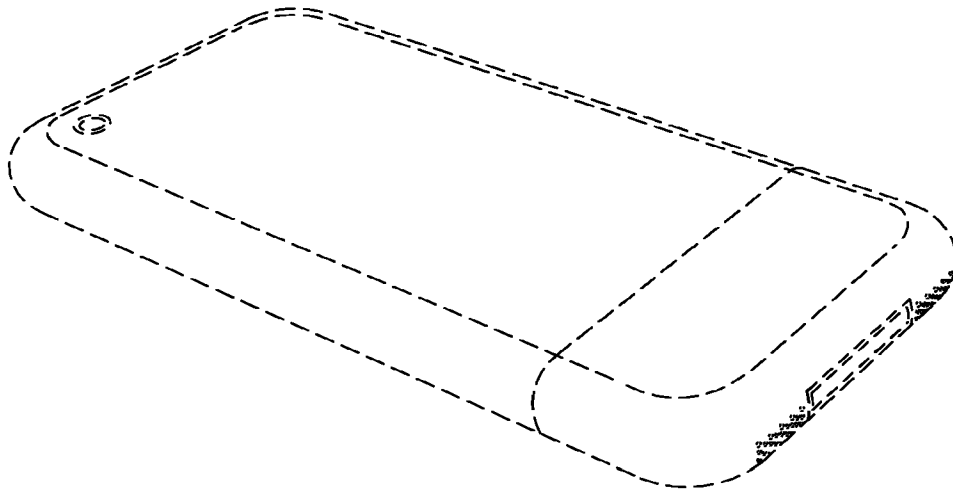


FIG. 18

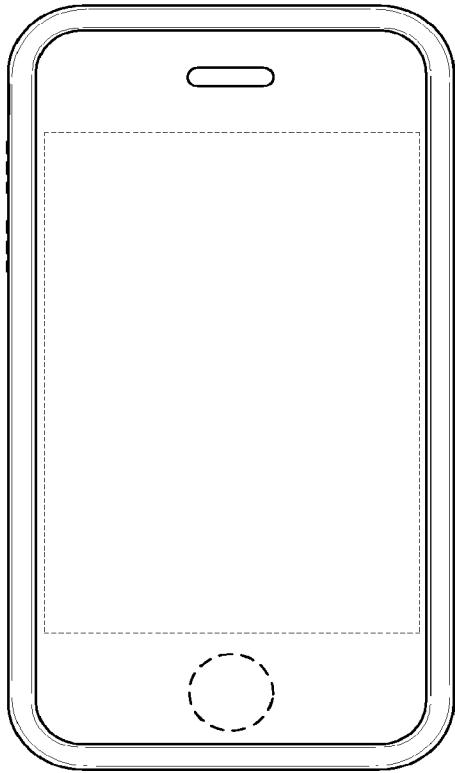


FIG. 19

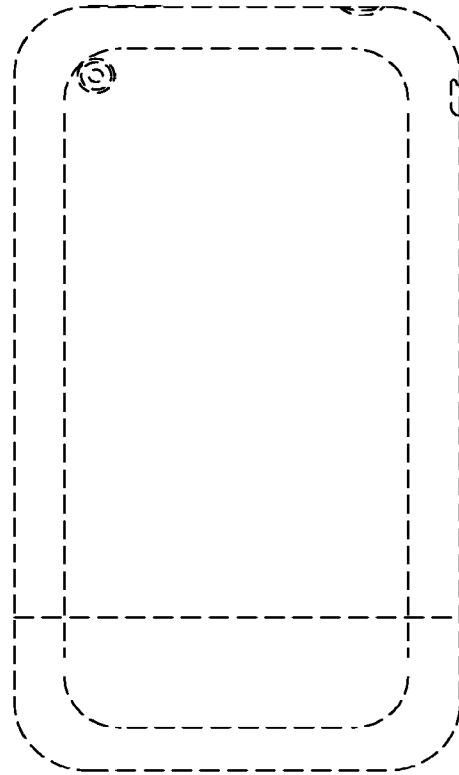


FIG. 20



FIG. 23

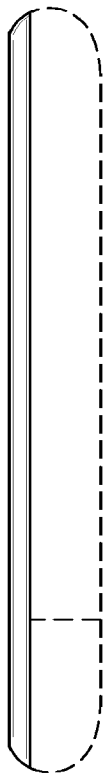


FIG. 24

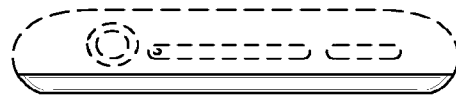


FIG. 21



FIG. 22

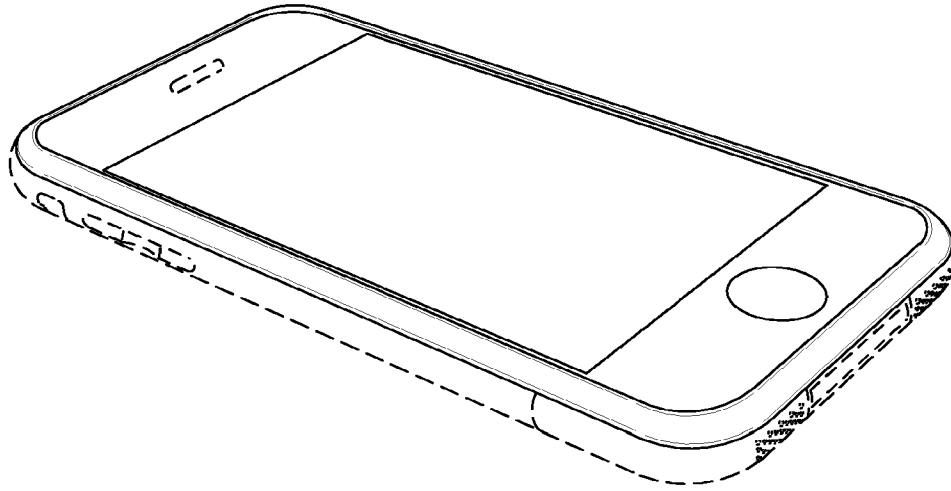


FIG. 25

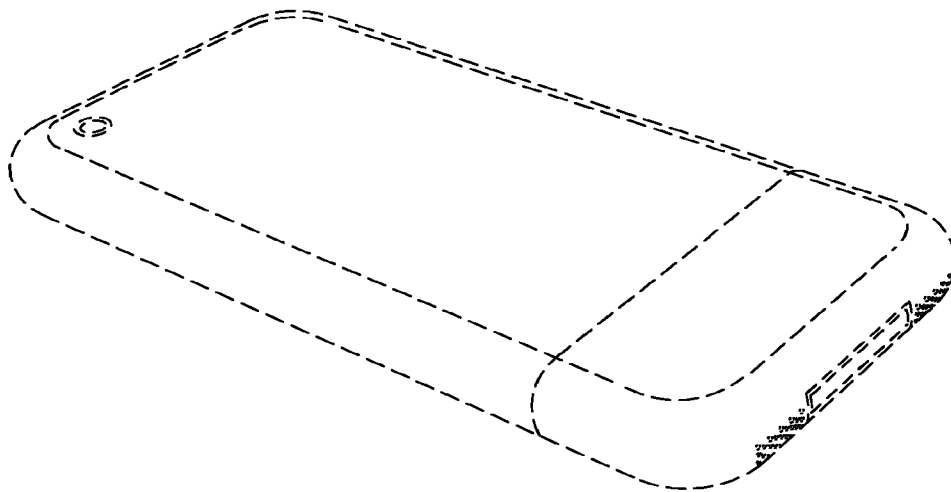


FIG. 26

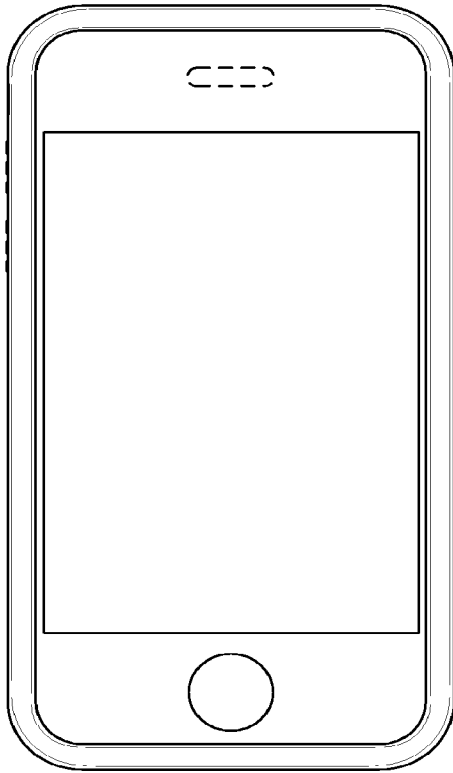


FIG. 27

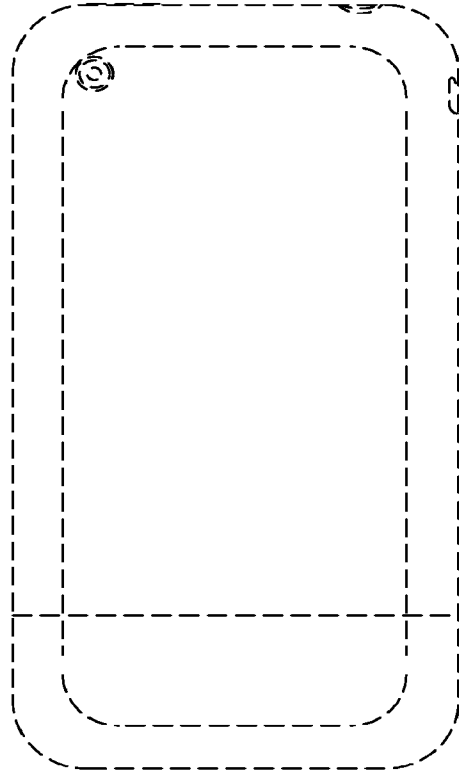


FIG. 28



FIG. 31

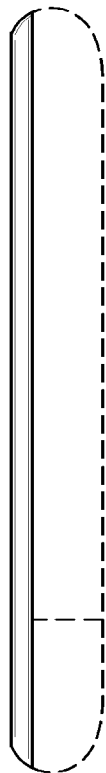


FIG. 32

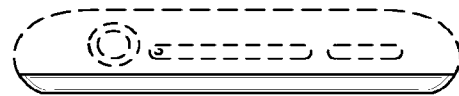


FIG. 29



FIG. 30

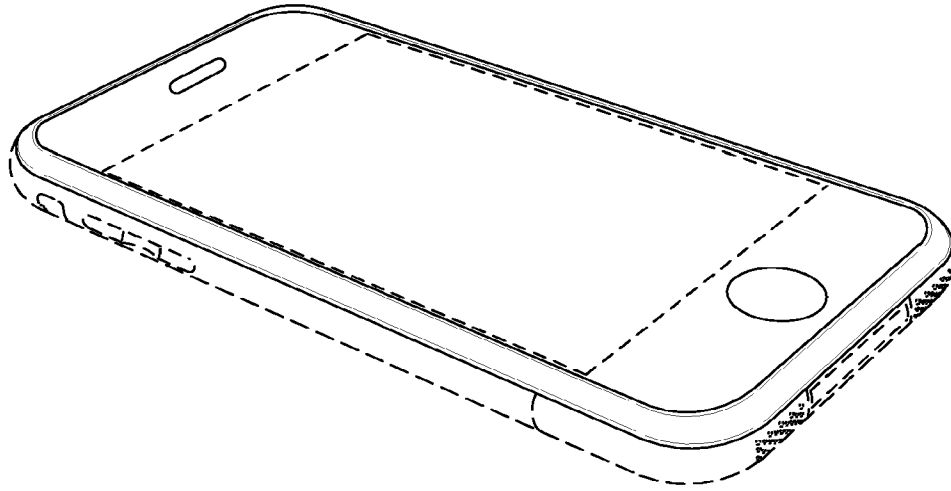


FIG. 33

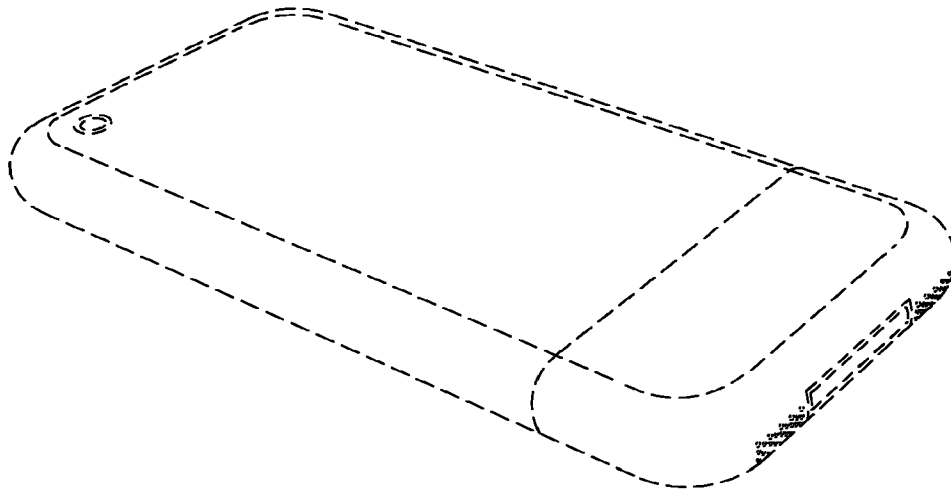


FIG. 34

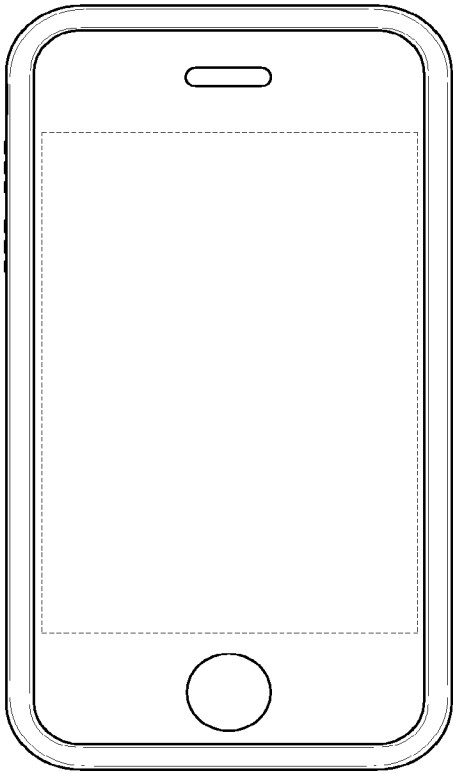


FIG. 35

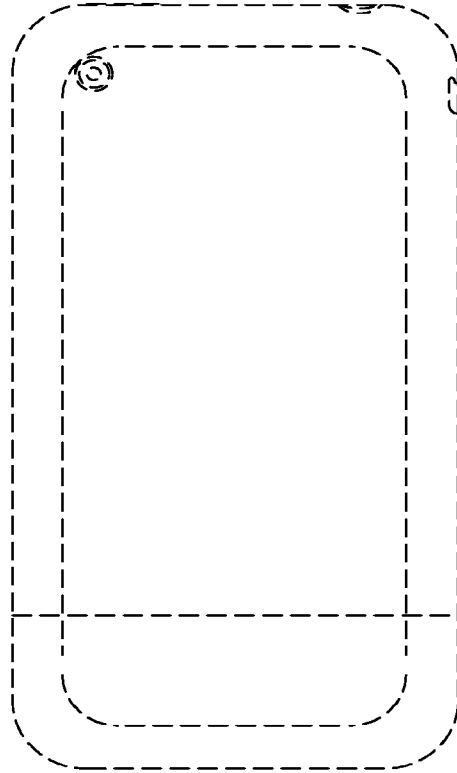


FIG. 36



FIG. 39

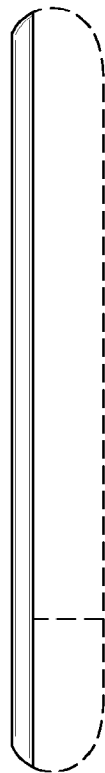


FIG. 40

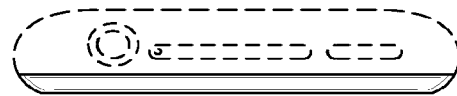


FIG. 37



FIG. 38

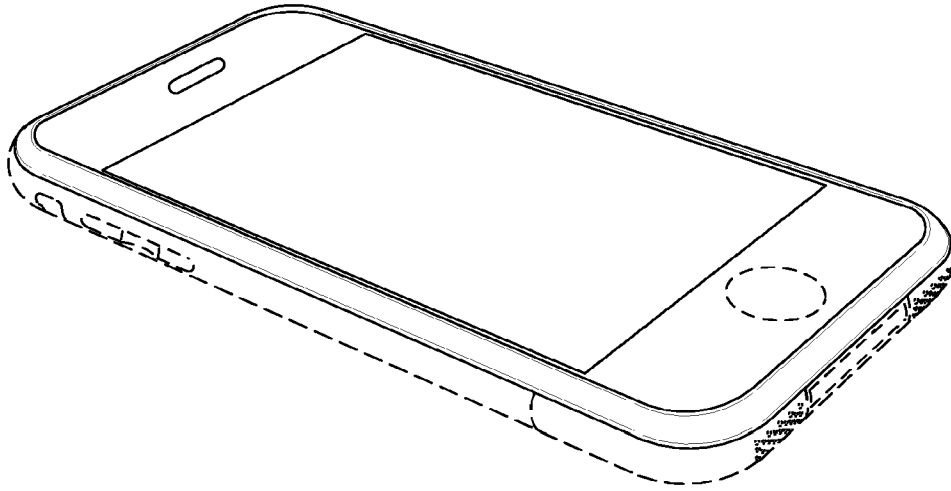


FIG. 41

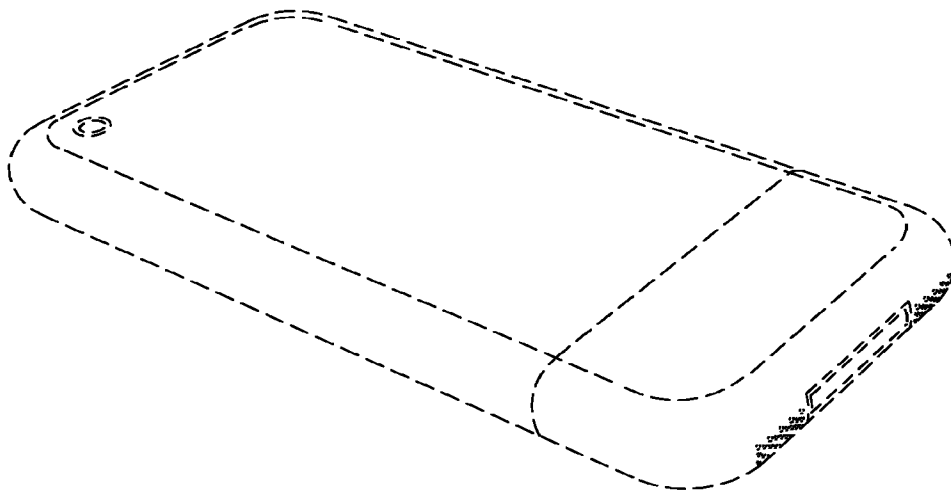


FIG. 42

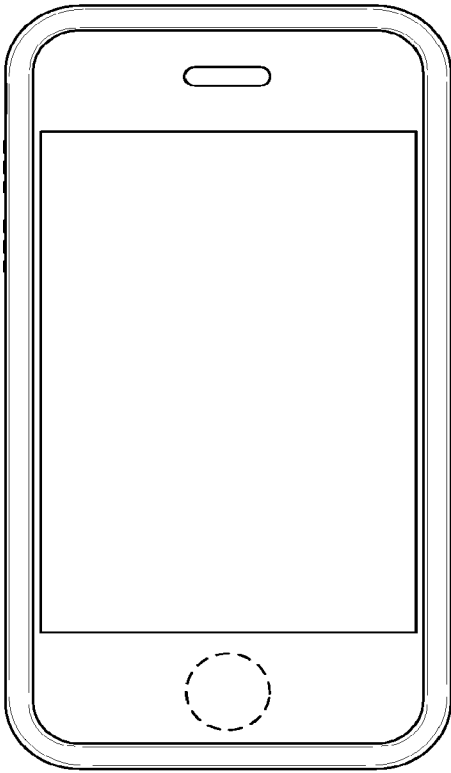


FIG. 43

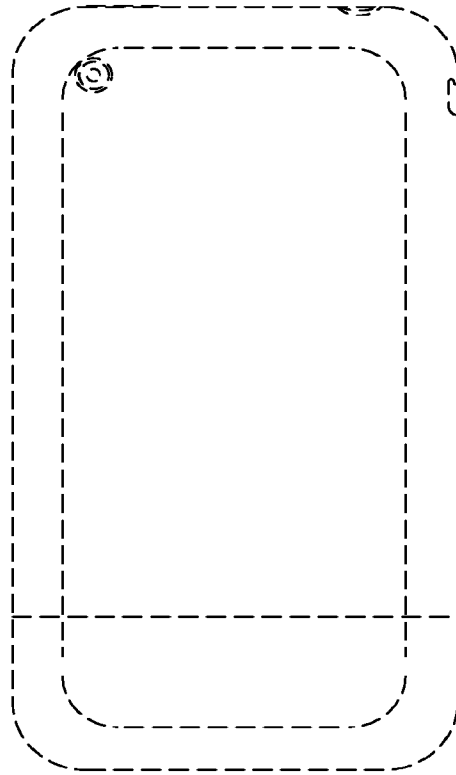


FIG. 44



FIG. 47

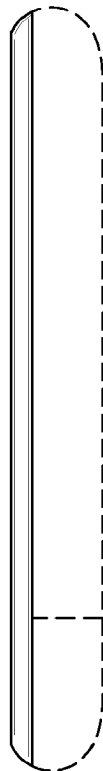


FIG. 48

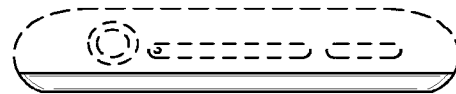


FIG. 45

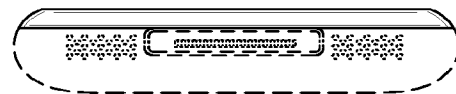


FIG. 46

SUPPLEMENTAL APPLICATION DATA SHEET

Electronic Version v14
Stylesheet Version v14.1

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Country of Residence: US
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E-mail:

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Application Information:

Title of Invention: Electronic Device
Application Type: regular, design
Attorney Docket Number: 2607.0600001(P4984USC3)/TGD/BKBAKS

Botanic Information:

Publication Information:

Suggested Figure for Publication -
Suggested Classification -
Suggested Technology Center -
Total Number of Drawing Sheets - 2

Representative Information:

practitioner(s) at Customer Number:

63975

63975

as my attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Domestic Priority Information:

This is a Continuation of US application number 29/270,880, filed 2007-01-05.

Foreign Priority Information:

Assignee Information:

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

Date: April 17, 2009

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(202) 371-2600

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APLPROS0000010750

Electronic Acknowledgement Receipt

EFS ID:	5173464
Application Number:	29282833
International Application Number:	
Confirmation Number:	3463
Title of Invention:	ELECTRONIC DEVICE
First Named Inventor/Applicant Name:	Bartley K. ANDRE
Customer Number:	63975
Filer:	Tracy-Gene G. Durkin/Susan Hylton-Robinson
Filer Authorized By:	Tracy-Gene G. Durkin
Attorney Docket Number:	2607.0600001(P4984USC3)/T
Receipt Date:	17-APR-2009
Filing Date:	30-JUL-2007
Time Stamp:	15:16:46
Application Type:	Design

Payment information:

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Payment Type	Credit Card
Payment was successfully received in RAM	\$890
RAM confirmation Number	1351
Deposit Account	
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1		26070600001IssueFee.pdf	498573 eda22d962de5c060a833b937881c90d0a797b99b	yes	13
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Miscellaneous Incoming Letter	1	2	
		Application Data Sheet	3	12	
		Issue Fee Payment (PTO-85B)	13	13	
Warnings:					
Information:					
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Warnings:					
Information:					
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Total Files Size (in bytes):			1154337		
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Electronic Patent Application Fee Transmittal

Application Number:	29282833
Filing Date:	30-Jul-2007
Title of Invention:	ELECTRONIC DEVICE
First Named Inventor/Applicant Name:	Bartley K. ANDRE
Filer:	Tracy-Gene G. Durkin/Susan Hylton-Robinson
Attorney Docket Number:	2607.0600001(P4984USC3)/T

Filed as Large Entity

Design Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Design Appl issue fee	1502	1	860	860

Extension-of-Time:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Printed copy of patent - no color	8001	10	3	30
Total in USD (\$)				890



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Art Unit 2916

Attn: Mail Stop Issue Fee

Re: U.S. Design Patent Application
 Application No. 29/282,833; Filing Date: July 30, 2007
 For: **Electronic Device**
 Inventors: ANDRE *et al.*
 Our Ref: 2607.0600001(P4984USC3)/TGD/AKS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization for \$890.00 to cover:
 \$860.00 - Issue Fee; and
 \$30.00 - Ten (10) advance copies of patent.
2. Submission of Drawings;
3. Twelve (12) sheets of replacement drawings with Figures 1-48;
4. Supplemental Application Data Sheet; and
5. Issue Fee Transmittal Form (PTOL-85).

The above-listed documents are filed electronically through EFS-Web.

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy-Gene G. Durkin
 Attorney for Applicants
 Registration No. 32,831

TGD/AKS:dbj
 Enclosures

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
ANDRE *et al.*
Appl. No.: 29/282,833
Filed: July 30, 2007
For: **Electronic Device**

Confirmation No.: 3463
Art Unit: 2916
Examiner: Bridget L. Eland
Atty. Docket: 2607.0600001(P4984USC3)/TGD/AKS

Submission of Drawings

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are twelve (12) sheets of Replacement drawings with Figures 1 through 48 for the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these drawings into this application is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

Date: April 17, 2009

1100 New York Avenue, N.W.
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/282,833	05/26/2009	D593087	2607.0600001(P4984USC3)/T	3463

63975 7590 05/06/2009

STERNE KESSLER GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

Design patents have a term measured from the issue date of the patent and the term remains the same length regardless of the time that the application for the design patent was pending. Since the above-identified application is an application for a design patent, the patent is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Bartley K. ANDRE, Menlo Park, CA;
Daniel J. Coster, San Francisco, CA;
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Richard P. Howarth, San Francisco, CA;
Jonathan P. Ive, San Francisco, CA;
Steve Jobs, Palo Alto, CA;
Duncan Robert Kerr, San Francisco, CA;
Shin Nishibori, San Francisco, CA;
Matthew Dean Rohrbach, San Francisco, CA;
Douglas B. Satzger, Menlo Park, CA;
Calvin Q. Seid, Palo Alto, CA;
Christopher J. Stringer, Portola Valley, CA;
Eugene Antony Whang, San Francisco, CA;
Rico Zorkendorfer, San Francisco, CA;

1 3g/3GS,” and “MacBook and MacBook Pro Keyboards.” SVT also has used the
2 Trademarks in an infringing manner in conjunction with the sale of these products.

3 5. Defendants and each of their predecessors, successors, assigns,
4 Affiliates, members, officers, managers, agents, servants, employees,
5 representatives, and all other Persons in active concert or participation with any of
6 them shall refrain from and are permanently enjoined from:

7 a. manufacturing, importing, distributing, shipping,
8 advertising, marketing, using, selling, or offering for sale the following products or
9 any colorable imitations of these products:

10 (i) any adapter that is substantially similar in
11 appearance to the design claimed in U.S. Patent No. D478,310, including but not
12 limited to the products identified as 93-02004-023, 93-02004-019, 93-02004-006,
13 A1244, A1184, or A1172.

14 (ii) any adapter that is substantially similar in
15 appearance to the design claimed in U.S. Patent No. D479,823, including but not
16 limited to the product identified as 93-36016-304.

17 (iii) any product that is substantially similar in
18 appearance to the design claimed in U.S. Patent No. D611,415, including but not
19 limited to the product described on Defendants’ websites as “USB charger for
20 iPhone 3GS.”

21 (iv) any product that is substantially similar in
22 appearance to the design claimed in one or more of the following patents: U.S.
23 Patent No. D586,800 or D593,087. This category includes but is not limited to the
24 products described on Defendants’ websites as “A808 Unlocked GSM Cell Phone
25 with Dual Camera TV Wi-fi,” “M8 Wifi Unlocked GSM Cell Phone with 3.3-inch
26 QVGA Dual Camera,” “i9+++ Unlocked GSM Cell Phone with Camera MP3
27 Bluetooth 3.2-inch,” “M9 wifi GPS Unlocked Cell Phone with 3.5-inch QVGA
28 Screen, “Compass 3GS Unlocked GSM Cell Phone with Camera MP3 Bluetooth

1 3,” “K599 Unlocked GSM Cell Phone with Camera MP3 Bluetooth Wi-Fi Ana,”
2 “W003 Unlocked GSM Cell Phone with Camera MP3 Bluetooth Wi-Fi HD,” and
3 “W001 Unlocked GSM Cell Phone with Camera MP3 Bluetooth Wi-Fi HD.”

4 (v) any product that is substantially similar in
5 appearance to the design claimed in one or more of the following patents: U.S.
6 Patent No. D571,360; D595,264; D597,080; D597,081; or D610,128. This
7 category includes but is not limited to the product described on Defendants’
8 websites as “3G Dock for iPhone 3Gs 3G iPod Classic Nano Touch.”

9 (vi) any product that is substantially similar in
10 appearance to the design claimed in one or more of the following patents: U.S.
11 Patent No. D495,336 or D596,621. This category includes but is not limited to the
12 product described on Defendants’ websites as “Data Dock for iPhone 3Gs 3G iPod
13 Classic Nano Touch.”

14 (vii) any product that is substantially similar in
15 appearance as the design claimed in one or more of the following patents: U.S.
16 Patent No. D560,212; D588,610; or D589,530. This category includes but is not
17 limited to the product described on Defendants’ websites as “Bluetooth Slim Stereo
18 Headset Handsfree Mini Headphone.”

19 (viii) any product that uses Apple’s proprietary 30-pin
20 connector system, claimed in, *e.g.*, U.S. Patent No. 7,627,343, including but not
21 limited to the products identified as 75-01006-001, 75-01005-001, 75-01006-003,
22 75-01006-005, 75-01006-006, 75-01006-004 or 75-01006-002, or described on
23 Defendants’ websites as “iPhone 3Gs FM Transmitter Hands-free Car Kit,” “Blue
24 LED Remote Control FM Transmitter,” “Apple iPod Nano 3rd gen Blue LED
25 Remote Control FM Transmitter,” “Apple iPhone 3G 8GB Blue LED Remote
26 Control FM Transmitter,” “Apple iPod Classic 160GB Blue LED Remote Control
27 FM Transmitter,” “Bluetooth FM Transmitter Hands-free Car Kit For iPhone 3Gs,”
28 “iPod iPhone FM Transmitter with Remote Control (black),” “FM Transmitter with

1 Aluminum Cover,” “Universal Data Cable for iPod iPhone 3G HTC PSP GBA SP
2 NDSL NDSi,” “AV Cable for iPhone iPod Classic Nano Touch,” “AV Cable with
3 USB for iPhone iPod Classic Nano Touch,” “AV Cable with USB for iPhone iPod
4 Classic Nano Touch metal head,” “iPod Touch 3rd Gen 32GB FM
5 Transmitter(Black),” “3G Dock for iPhone 3Gs 3G iPod Classic Nano Touch,”
6 “Data Dock for iPhone 3Gs 3G iPod Classic Nano Touch,” “USB Charger and Data
7 Cable for iPhone 3GS iPhone3G iPod Classic Nano Touch,” “FM Transmitter
8 Hands-free Car Kit For iPhone 3Gs,” “iPhone 3g 8GB FM Transmitter(Black),”
9 “iPhone 3Gs Bluetooth FM Transmitter Hands-free Car Kit,” “Aluminum cover
10 FM Transmitter(Black),” “FM transmitter with Remote Control for iPod iPhone,”
11 “Blue LED FM Transmitter with Remote Control,” “Portable Power station Battery
12 for iPhone 3G/3GS 2000mAh,” “iPhone 3g/3GS Portable Power station Battery,”
13 and “Portable Power station Battery for iPhone 3g/3GS.”

14 (ix) any keyboard that is substantially similar in
15 appearance to the design claimed in one or more of the following patents: U.S.
16 Patent No. D572,246; D612,843; or D612,844. This category includes but is not
17 limited to the products identified as 98-02200-004 or 98-02200-015, or described
18 on Defendants’ websites as “MacBook and MacBook Pro Keyboards.”

19 b. manufacturing, importing, distributing, shipping,
20 advertising, marketing, using, selling, or offering for sale any products that are
21 similar to or likely to cause confusion with the trade dress for Apple’s products;

22 c. using a photograph or image of a genuine Apple product
23 on any advertisement, website, or product packaging to represent or illustrate the
24 product that is being advertised, marketed, or sold, when such product is not
25 manufactured by Apple;

26 d. using the Trademarks or any other name or mark owned
27 by Apple, or any variants thereof, in a manner which indicates or suggests that a
28 business, website, product, or service is in any way associated or affiliated with,

1 authorized, sponsored, or approved by Apple, such as by way of example “Apple
2 A1184 AC Adapter”; Defendants shall not be prohibited from advertising or
3 marketing a particular product as “compatible with [a particular genuine Apple
4 product],” if such statement is true, and the statement complies with the principles
5 of referential fair use and does not otherwise create a sense of endorsement,
6 sponsorship, or false association with Apple or Apple products or services;

7 e. registering, owning, selling, transferring, or assigning any
8 domain name containing any name or mark owned by Apple, or any name or mark
9 confusingly similar thereto, unless such activities comply with principles of
10 referential fair use or such sale, transfer, or assignment is made to Apple; and

11 f. purchasing or using any name or mark owned by Apple or
12 any variants thereof (1) as keyword search terms to generate sponsored links, unless
13 such purchase or use complies with principles of referential fair use, or (2) as a
14 hidden link or hidden text on any website.

15 6. This injunction shall not prohibit any marketing or sale of
16 Apple-licensed products.

17 7. All terms defined in this Injunction Order shall be so defined
18 when used anywhere in this Injunction Order. Additionally, as used in this
19 Injunction Order, the following capitalized terms shall have the meanings set forth
20 below:

21 a. “Person” means any individual, partnership, association,
22 corporation, limited liability company, trust, or any other form of legal entity.

23 b. “Affiliate” means any Person that now or in the future
24 Controls, is Controlled by, or is under common Control with any Defendant.


25 c. “Control” means, with respect to any Person, the ability to
26 control, manage, direct or otherwise materially influence the management,
27 direction, operations or policies of such Person, whether by ownership of voting
28 securities, by contract or otherwise.

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8. The parties waive any right to appeal this Injunction Order.

9. The Court will retain continuing jurisdiction for purposes of interpreting and enforcing this Injunction Order. Any and all disputes concerning the Injunction Order shall be referred to the Chief Magistrate Judge or her designee for resolution or report and recommendation, depending on the relief requested.

DATED: 1/3/11


SAUNDRA BROWN ARMSTRONG
United States District Judge

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

APPLE INC.,

Plaintiff,

v.

BRILLIANT STORE, INC.,
SUNVALLEYTEK INTERNATIONAL,
INC., and HOOTOO.COM, INC.,

Defendants.

Case No. CV-10-2996-SBA

**JUDGMENT PURSUANT TO
STIPULATION**

1 IT IS HEREBY ORDERED THAT final judgment shall be entered in
2 accordance with the parties' stipulation (Dkt. 38 and 39), as set forth in the
3 Injunction Order as to Brilliant Store, Inc., and Injunction Order as to Sun Valley
4 Tech International, Inc., and Hootoo.com, Inc.

5 IT IS SO ORDERED.


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8 DATED: 1/3/11

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SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

APPLE INC.,

Plaintiff,

v.

BRILLIANT STORE, INC.,
SUNVALLEYTEK INTERNATIONAL,
INC., and HOOTOO.COM, INC.,

Defendants.


Case No. CV-10-2996-SBA

**[PROPOSED] INJUNCTION
ORDER AS TO BRILLIANT
STORE, INC.**

1 Apple Inc. ("Apple"), having brought this action against Brilliant
2 Store, Inc. ("Defendant"), and Defendant having consented to the Court's
3 jurisdiction and to entry of this Injunction Order and having waived any right to
4 appeal this Injunction Order,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

6 1. This Court has jurisdiction over the Defendant and the subject
7 matter of this action and Injunction Order.

8 2. Apple is the owner of U.S. Patent Nos. D478,310; 7,517,222;
9 D567,800; D596,160; D572,246; D612,843; D612,844; and 7,627,343 (collectively
10 the "Patents"), which are valid and enforceable. Apple designs, manufactures, and
11 sells computers, personal electronic devices, and accessories for those products,
12 such as power adapters. Apple has developed a tremendous amount of goodwill in
13 the design of its products and in its trademarks, including but not limited to APPLE,
14 , MAC, MACBOOK, IPHONE, and IPOD (collectively the "Trademarks"),
15 which are registered with the U.S. Patent and Trademark Office.

16 3. Defendant has sold various electronic accessories, including
17 power adapters, and owns domain names and operates web sites through which its
18 products are sold. Without Apple's authorization, Defendant has used, imported,
19 sold and/or offered for sale products that infringe the Patents, including but not
20 limited to products with part numbers AL-3121, AL-3158, AL-3176, AL-3177, AL-
21 3197, AL-3202, AL-3204, AL-3218, AL-3219, BE-9003, CPA-1048, CPA-1050,
22 CPA-1053, CPA-1055, CPA-1056, CPA-1057, CPA-1148, CPA-1247, CPA-1253,
23 CPA-1254, CPA-1255, CPA-1386-BLACK, and CPA-1511-BLACK. Defendant
24 also has used the Trademarks in an infringing manner in conjunction with the sale
25 of these products.

26 4. Defendant and each of its predecessors, successors, assigns,
27 Affiliates, members, officers, managers, agents, servants, employees,
28

1 representatives, and all other Persons in active concert or participation with any of
2 them shall refrain from and are permanently enjoined from:

3 a. manufacturing, importing, distributing, shipping,
4 advertising, marketing, using, selling, or offering for sale the following products or
5 any colorable imitations of these products:

6 (i) any product that is substantially similar in
7 appearance as the design claimed in U.S. Patent No. D478,310, including but not
8 limited to the products with part numbers AL-3121, AL-3158, AL-3176, AL-3177,
9 AL-3197, and CPA-1255;

10 (ii) any product that uses Apple's proprietary magnetic
11 connector system, claimed in U.S. Patent No. 7,517,222, including but not limited
12 to the products with part numbers AL-3202, AL-3204, AL-3218, and AL-3219;

13 (iii) any product that is substantially similar in
14 appearance as the design claimed in U.S. Patent No. D567,800 or D596,160,
15 including but not limited to the product with part number CPA-1254;

16 (iv) any product that is substantially similar in
17 appearance as the design claimed in U.S. Patent No. D572,246, D612,843, or
18 D612,844, including but not limited to the products with part numbers CPA-1148,
19 CPA-1386-BLACK, and CPA-1511-BLACK;

20 (v) any product that uses Apple's proprietary 30-pin
21 connector system, claimed in U.S. Patent No. 7,627,343, including but not limited
22 to the products with part numbers CPA-1053, CPA-1253, CPA-1247, CPA-1057,
23 CPA-1056, CPA-1055, CPA-1048, CPA-1050, and BE-9003;

24 b. manufacturing, importing, distributing, shipping,
25 advertising, marketing, using, selling, or offering for sale any products that are
26 similar to or likely to cause confusion with the trade dress for Apple's products;

27 c. using a photograph or image of a genuine Apple product
28 on any advertisement, website, or product packaging to represent or illustrate the

1 product that is being advertised, marketed, or sold, when such product is not
2 manufactured by Apple;

3 d. using the Trademarks or any other name or mark owned
4 by Apple, or any variants thereof, in a manner which falsely indicates or suggests
5 that a business, website, product, or service is in any way associated or affiliated
6 with, authorized, sponsored, or approved by Apple, such as by way of example
7 “Apple Laptop Charger”; Defendant shall not be prohibited from advertising or
8 marketing a particular product as “compatible with” a particular genuine Apple
9 product, if such statement is true, and the statement complies with the principles of
10 referential fair use and does not otherwise create a sense of endorsement,
11 sponsorship, or false association with Apple or Apple products or services;

12 e. registering, owning, selling, transferring, or assigning any
13 domain name containing any name or mark owned by Apple, or any name or mark
14 confusingly similar thereto, unless such activities comply with principles of
15 referential fair use or such sale, transfer, or assignment is made to Apple; and

16 f. purchasing or using any name or mark owned by Apple or
17 any variants thereof (1) as keyword search terms to generate sponsored links, unless
18 such purchase or use complies with principles of referential fair use, or (2) as a
19 hidden link or hidden text on any website.

20 5. This injunction shall not prohibit any marketing or sale of
21 Apple-licensed products.

22 6. All terms defined in this Injunction Order shall be so defined
23 when used anywhere in this Injunction Order. Additionally, as used in this
24 Injunction Order, the following capitalized terms shall have the meanings set forth
25 below:

26 a. “Person” means any individual, partnership, association,
27 corporation, limited liability company, trust, or any other form of legal entity.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

APPLE INC.,

Plaintiff,

v.

BRILLIANT STORE, INC.,
SUNVALLEYTEK INTERNATIONAL,
INC., and HOOTOO.COM, INC.,

Defendants.

Case No. CV-10-2996-SBA


**[PROPOSED] INJUNCTION
ORDER AS TO SUN VALLEY
TECH INTERNATIONAL, INC.
AND HOOTOO.COM, INC.**

1 Apple Inc. ("Apple"), having brought this action against Sunvalleytek
2 International, Inc. ("SVT"), and Hootoo.com, Inc. ("HTI") (collectively
3 "Defendants") and Brilliant Store, Inc., and Defendants having consented to the
4 Court's jurisdiction and to entry of this Injunction Order and having waived any
5 right to appeal this Injunction Order,

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

7 1. This Court has jurisdiction over the Defendants and the subject
8 matter of this action and Injunction Order.

9 2. Apple owns U.S. Patent Nos. D478,310; D479,823; D611,415;
10 D586,800; D593,087; D571,360; D595,264; D597,080; D597,081; D610,128;
11 D495,336; D596,621; D560,212; D588,610; D589,530; 7,627,343; D572,246;
12 D612,843; and D612,844 (collectively the "Patents"), which are valid and
13 enforceable.

14 3. Apple designs, manufactures, and sells computers, personal
15 electronic devices, and accessories for those products, such as power adapters.
16 Apple has developed a tremendous amount of goodwill in the design of its products
17 and in its trademarks, including but not limited to APPLE, , MACBOOK,
18 MAGSAFE, IPHONE, and IPOD (collectively the "Trademarks"), which are
19 registered with the U.S. Patent and Trademark Office.

20 4. SVT has sold various electronic accessories, including power
21 adapters, and owns domain names and operates web sites through which its
22 products are sold, including hootoo.com. Without Apple's authorization, SVT has
23 used, imported, sold and/or offered for sale products that infringe the Patents,
24 including but not limited to products identified as 93-02004-023, 93-02004-019,
25 93-02004-006, A1244, A1184, A1172, 93-36016-304, 75-01006-001, 75-01005-
26 001, 75-01006-003, 75-01006-005, 75-01006-006, 75-01006-004, 75-01006-002,
27 98-02200-004, or 98-02200-015; or described on Defendants' websites as "USB
28 charger for iPhone 3GS," "A808 Unlocked GSM Cell Phone with Dual Camera TV