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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/010,506	04/23/2009	6006227	8157.012.RXUS00	1182

23432 7590 01/28/2011

COOPER & DUNHAM, LLP
 30 Rockefeller Plaza
 20th Floor
 NEW YORK, NY 10112

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 01/28/2011

Please find below and/or attached an Office communication concerning this application or proceeding.



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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Tracy W. Druce

NOVAK, DRUCE & QUIGG, LLP(NDQ REEXAMINATION GROUP)

1000 Louisiana Street, 53rd Floor

Houston, TX 77002

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/010,506.

PATENT NO. 6006227.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

**Notice of Intent to Issue
Ex Parte Reexamination Certificate**

Control No. 90/010,506	Patent Under Reexamination 6006227	
Examiner Christopher E. Lee	Art Unit 3992	

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

1. Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of
- (a) Patent owner's communication(s) filed: 06 December 2010.
 - (b) Patent owner's late response filed: _____.
 - (c) Patent owner's failure to file an appropriate response to the Office action mailed: _____.
 - (d) Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
 - (e) Other: _____.
- Status of *Ex Parte* Reexamination:
- (f) Change in the Specification: Yes No
 - (g) Change in the Drawing(s): Yes No
 - (h) Status of the Claim(s):
 - (1) Patent claim(s) confirmed: 1-6, 9-17, 20, 22 and 25-29.
 - (2) Patent claim(s) amended (including dependent on amended claim(s)): None.
 - (3) Patent claim(s) cancelled: None.
 - (4) Newly presented claim(s) patentable: 34-47.
 - (5) Newly presented cancelled claims: None.
2. Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."
3. Note attached NOTICE OF REFERENCES CITED (PTO-892).
4. Note attached LIST OF REFERENCES CITED (PTO-1449 or PTO/SB/08).
5. The drawing correction request filed on _____ is: approved disapproved.
6. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
 been received.
 not been received.
 been filed in Application No. _____.
 been filed in reexamination Control No. _____.
 been received by the International Bureau in PCT Application No. _____.
- * Certified copies not received: _____.
7. Note attached Examiner's Amendment.
8. Note attached Interview Summary (PTO-474).
9. Other: _____.

/Christopher E. Lee/
Primary Examiner, Art Unit 3992
Central Reexamination Unit

cc: Requester (if third party requester)

DETAILED ACTION

***Ex Parte* Reexamination**

1. This is an *Ex Parte* Reexamination of United States Patent Number US 6,006,227 A, which issued to Freeman et al. [hereinafter '227 Patent].

5

Receipt Acknowledgement

2. Receipt is acknowledged of the Response filed on 6th of December 2010. Claims 35 and 46 have been amended; no claim has been canceled; and no claim has been newly added since the *Ex Parte* REX Final Office Action (hereinafter the previous Office action) was mailed on 5th of October 2010. Currently, the claims 1-6, 9-17, 20, 22, 25-29, and 34-47 are subject to *ex parte* reexamination.

10

Information Disclosure Statement

3. The information disclosure statements filed on 7th of November 2010 and on 8th of December 2010 fail to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because (i) the undated references, the references without providing publisher, and/or the references without providing proper page numbers fail to comply with 37 CFR 1.98(b)(5), which requires a date for each publication, a publisher, and properly referred pages, (ii) an artifact CD cannot be used to submit an the information disclosure statement listing or copies of the documents cited in the information disclosure statement in light of the compliance with the provisions of 37 CFR 1.52(e), and (iii) the inclusion of the court proceedings and the office actions/responses as the references in the information disclosure statement have been given due consideration, however, as these are not printed publications *per se*.

15

20

4. The listings on the Information disclosure statements have been lined through and these listings will not appear on the reexamination certificate. Patent Owner is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e).

25

5. Where patents, publications, and other such items of information are submitted by a party (patent owner or requester) in compliance with the requirements of the rules 37 CFR §1.97 and 37 CFR §1.98, the requisite degree of consideration to be given to such information

30

will be normally limited by the degree to which the party filing the information citation has explained the content and relevance of the information. The initials of the Examiner placed adjacent to the citations on the form PTO/SB/08A and 08B or its equivalent, without an indication to the contrary in the record, do not signify that the information has been considered
5 by the Examiner any further than to the extent noted above. See MPEP §2256.

Response to Arguments.

6. Patent Owner's arguments with respect to the claims 1-6, 9-17, 20, 22, 25-29, 35, 46, and 47 filed on filed on 6th of December 2010 have been fully considered and are persuasive.
10 The objection of claim 35 and the rejections of claims 1-6, 9-17, 20, 22, 25-29, 46, and 47 have been withdrawn.

In response to the amendment to the objected claim 35 of the previous Office action, the amended claim 35 overcomes the claim objection, and thus, it has been withdrawn.

15 *In response to the Patent Owner's arguments with respect to the subject matter "stream," which is recited as "main stream" and "substream" in the independent claims 1, 13, and 25 being subjected to ex parte reexamination, the Examiner agrees with the Patent Owner's arguments.*

The Examiner applied the broadest reasonable interpretation of claims during the
20 prosecution of the instant *ex parte* reexamination proceedings (*In re Yamamoto*, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). However, the Examiner finds that the broadest reasonable interpretation of the claimed subject matters "main stream" and "substream" should be consistent with the specification at col. 4, lines 6-15 according to the Patent Owner's argument and its consideration *de novo*. Any references including the primary reference Mander et al.
25 [US 6,243,724 B1] of the record do not teach and/or suggest, at least, the claimed subject matters "main stream" and "substream".

Therefore, the Patent Owner's arguments are persuasive and the rejections of the claims 1, 13, and 25, and their dependent claims 2-6, 9-12, 14-17, 20, 22, 26-29, 46, and 47 have been withdrawn.

STATEMENT OF REASONS FOR PATENTABILITY AND/OR CONFIRMATION

7. The patentability of the claims 1-6, 9-17, 20, 22, and 25-29 is confirmed.

8. The newly added claims 34-47 are determined to be patentable.

5 The following is an Examiner's statement of reasons for patentability and/or confirmation of the claims found patentable in this reexamination proceeding:

10 With respect to claims 1-6, 9-17, 20, 22, 25-29 and 34-47, the claim limitations of the respective claims 1, 13, and 25 are deemed patentable over the prior art of record having raised the substantial new questions of patentability as the prior art fails to teach or suggest that generating a main stream of data units and at least one substream, the main stream for receiving each data unit received by or generated by the computer system, and each substream for containing data units only from the main stream.

The claims 2-6, 9-12, and 46 are dependent claims of the claim 1.

The claims 14-17, 20, 22, and 34-45 are dependent claims of the claim 13.

The claims 26-29 and 47 are dependent claims of the claim 25.

15 Any comments considered necessary by PATENT OWNER regarding the above statement must be submitted promptly to avoid processing delays. Such submission by the patent owner should be labeled: "Comments on Statement of Reasons for Patentability and/or Confirmation" and will be placed in the reexamination file.

20 **Conclusion**

9. As such, prosecution of the instant proceeding is hereby terminated.

25 Since provisions of 37 CFR 1.312 do not apply in reexamination proceedings, any amendment, IDS or other paper related to the merits of the instant proceeding filed after the mailing date of this Office Action must be accompanied by a petition under 37 CFR 1.182 to be considered.

All correspondence relating to this ex parte reexamination proceeding should be directed:

By EFS: Registered users may submit via the electronic filing system EFS-Web, at <http://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>

30 By Mail to: Mail Stop *Ex Parte* Reexam
Central Reexamination Unit
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United States Patent & Trademark Office
35 P.O. Box 1450

Alexandria, VA 22313-1450

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Central Reexamination Unit

5

By hand: Customer Service Window
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401 Dulany Street
Alexandria, VA 22314

10 For EFS-Web transmissions, 37 CFR 1.8(a)(1)(i) (C) and (ii) states that correspondence
(except for a request for reexamination and a corrected or replacement request for
reexamination) will be considered timely filed if (a) it is transmitted via the Office's electronic
filing system in accordance with 37 CFR 1.6(a)(4), and (b) includes a certificate of transmission
for each piece of correspondence stating the date of transmission, which is prior to the
15 expiration of the set period of time in the Office action.

Any inquiry concerning this communication or earlier communications from the
Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be
directed to the Central Reexamination Unit at telephone number (571) 272-7705.

20

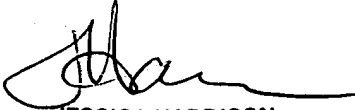
Signed:

Christopher E. Lee

Christopher E. Lee / Primary Patent Examiner
Patent Reexamination Specialist / Art Unit 3992
25 Central Reexamination Unit

Conferees:

EBK


JESSICA HARRISON
SUPERVISORY PATENT EXAMINER

Receipt date: 11/17/2010

90010506 - GAU: 3992

Submitted by: ISK
Ivan Kavrukov, Reg. No. 25,161

Sheet 1 of 11

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application No.	Filing Date
	90/010,506	June 28, 1996
	First Named Inventor:	
	Eric FREEMAN	
	Art Unit: 3992	
Examiner Name Christopher E. Lee		
Atty. Docket No. 1584/80553		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Pages, Lines, etc.
		4,831,758	06-05-2001	Williams et al.	
		5,031,346	07-16-1991	Herring et al.	
		5,060,135	10-22-1991	Levine et al.	
		5,303,361	04-12-1994	Colwell et al.	
		5,355,602	10-18-1994	Menke et al.	
		5,479,602	12-26-1995	Baecker et al.	
		5,499,330	03-12-1996	Lucas, et al.	
		5,504,852	04-02-1996	Thompson-Rohrlich	
		5,528,739	09-17-1993	Lucas et al.	
		5,600,833	02-04-1997	Senn et al.	
		5,621,874	04-15-1997	Lucas et al.	
		5,621,906	04-15-1997	O'Neill et al.	
		5,649,182	07-15-1997	Reitz	
		5,649,188	07-15-1997	Nomura et al.	
		5,778,364	07-07-1998	Nelson	
		5,724,567	03-03-1998	Rose et al.	
		5,729,730	03-17-1998	Wlaschin et al.	
		5,758,324	05-26-1998	Hartman et al.	
		5,764,972	06-09-1998	Crouse et al.	
		5,905,992	05-18-1999	Lucas et al.	
		6,012,072	01-04-2000	Lucas et al.	
		6,012,074	01-04-2000	Lucas et al.	
		6,151,610	11-21-2000	Senn et al.	
		6,202,058	03-13-2001	Rose et al.	
		6,262,732	07-17-2001	Coleman et al.	
		6,396,513	05-28-2002	Helfman et al.	
		6,401,097	06-04-2002	McCotter et al.	
		6,639,876	03-16-2001	Kalis et al.	

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if citation 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.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /CEL/

Submitted by: ISK
Ivan Kavrukov, Reg. No. 25,161

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		6,714,489	03-30-2001	Kalis et al.	
		D395,297	06-16-1998	Cheng et al.	
		D398,299	09-15-1998	Ballay et al.	
 					
 					
 					
 					
 					
 					
 					
 					

NON PATENT LITERATURE DOCUMENTS

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	001	W3C: A Little History of the World Wide Web, http://www.w3.org/History.html , (Accessed July 15, 2010).	
	002	GELERNTER, David, "The Cyber-Road Not Taken", The Washington Post, April 3, 1994.	
	003	BOLT, Richard A., "Spatial Data-Management", Massachusetts Institute of Technology, 1979.	
	004	LANSADALE, M.W., et al., "MEMOIRS: A personal Multimedia Information System", The Proceedings of the Fifth Conference of the British Computer Society Human Computer Interaction Specialist Group University of Nottingham, September 1989.	
	005	PEMBERTON, Steven, "Not With A Whimper", SIGCHI, April 1998.	
	006	MILLER, James R., "The Apple Advanced Technology Group - An Introduction to the Special SIGCHI Bulletin Issue", SIGCHI, April 1998.	

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		5,621,906	04-15-1997	O'Neill et al.	
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		5,649,188	07-15-1997	Nomura et al.	
		5,724,567	03-03-1998	Rose et al.	
		5,729,730	03-17-1998	Wlaschin et al.	
		5,758,324	05-26-1998	Hartman et al.	
		5,764,972	06-09-1998	Crouse et al.	

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	007	RUSSELL, Daniel M., "The ATG Knowledge Management Technologies Laboratory", SIGCHI, April 1998.	
	008	MILLER, James R., "An Overview of the ATG Intelligent Systems Program", SIGCHI, April 1998.	
	009	MILLER, James R., et al., "From Documents to Objects: An Overview of LiveDoc", SIGCHI, April 1998.	
	010	BONURA, Thomas, et al., "Drop Zones: An Extension to LiveDoc", SIGCHI, April 1998.	
	011	BOGURAEV, Branimir, et al., "An Architecture for Content Analysis of Documents and Its Use in Information and Knowledge Tasks", SIGCHI, April 1998.	
	012	BOGURAEV, Branimir, et al., "Dynamic Document Presentation", SIGCHI, April 1998.	
	013	NARDI, Bonnie, et al., "An Online Digital Photography Course for High School Teachers", SIGCHI, April 1998.	
	014	SHULKA, Shilpa V., "Hit Squads & Bug Meisters", SIGCHI, April 1998.	
	015	ROSE, Daniel E., "Beyond Search: The Information Access Research Group at Apple", SIGCHI, April 1998.	
	016	RUSSELL, Daniel M., "User Experience Research Group", SIGCHI, April 1998.	

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	017	WALKER, William F., Rapid Prototyping of Awareness Services Using a Shared Information Server", SIGCHI, April 1998.	
	018	BELLEGARDA, Jerome R., "Interaction-Driven Speech Input", SIGCHI, April 1998.	
	019	MACHIRAJU, N. Rao, "The ATG Learning Communities Laboratory: An Overview", SIGCHI, April 1998.	
	020	BELLAMY, Rachel, et al., "Learning Conversations", SIGCHI, April 1998.	
	021	HOUDE, Stephanie, et al., "In Search of Design Principles for Tools and Practices to Support Communication Within a Learning Community", SIGCHI, April 1998.	
	022	RODDY, Brian J., et al., "Interface Issues in Text Based Chat Rooms", SIGCHI, April 1998.	
	023	SPOHRER, Jim, "ATG Education Research: The Authoring Tools Thread", SIGCHI, April 1998.	
	024	GRAVES, Mike, et al., "Unfamiliar Ground: Designing Technology to Support Rural Healthcare in India", SIGCHI, April 1998.	
	025	MOUNTFORD, S. Joy, "A History of the Apple Human Interface Group", SIGCHI, April 1998.	
	026	HARRIS, Jed, et al., "Discourse Architecture", SIGCHI, April 1998.	
	027	SINGER, Samuel Weller, "Researches into the History of Playing Cards", Printed by T. Bensley and Son, 1816.	
	028	"Playing Poker at Egan's" (image), http://www.orww.org/Harney_Cattle/Student_Reports/Images/11-Poker_1882.jpg (ca. 1882).	
	029	"Commercial America", Philadelphia Commercial Museum, July 1911.	
	030	"Eleventh Annual Report of the Trustees of the Boston State Hospital", Published by Wright & Potter Printing Co., 1920.	
	031	"System - The Magazine of Business", A.W. Shaw Company, 1921.	

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Submitted by: LSK
Ivan Kavrukov, Reg. No. 25,161

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	032	IBBERSON, J.R., MD, "The Business Side of General Practice", Canad. M.A.J., vol. 72, April 15, 1955.	
	033	CARLBOM, Ingrid, et al., "Planar Geometric Projections and Viewing Transformations", Computing Surveys, Vol. 10, No. 4, pp. 465-502, December 1978.	
	034	SCHMANDT, Christopher Martin, "Pages Without Paper", Bachelor of Science Thesis at the Massachusetts Institute of Technology, December 1978.	
	035	DONELSON, William C., "Spatial Management of Information", Architecture Machine Group, Massachusetts Institute of Technology, Proceedings of the 5th Annual Conference on Computer Graphics and Interactive Techniques, 1978.	
	036	BOLT, Richard A., "Put-That-There": Voice and Gesture at the Graphics Interface", Architecture Machine Group, Massachusetts Institute of Technology, ACM, 1980.	
	037	HALASZ, Frank, et al., "Analogy Considered Harmful", Association for Computing Machinery, 1981.	
	038	BOLT, Richard A., "Gaze-Orchestrated Dynamic Windows", Architecture Machine Group, Massachusetts Institute of Technology,, Cambridge Massachusetts, ACM, Computer Graphics, Vol. 15, No. 3, August 1981.	
	039	WILLIAMS, Gregg, "The Lisa Computer System", BYTE Publications, Inc., February 1983.	
	040	WILLIAMS, Gregg, "The Apple Macintosh Computer", BYTE Publications, Inc., February 1984.	
	041	ANDERSON, John J., "Atari 520ST: A Reborn Atari Once Again Points the Way to the Next Generation", Creative Computing, Vol. 11, No. 10, October 1985.	
	042	GREENBERG, Saul, et al., "Issues and Experiences in the Design of a Window Management System", Canadian Information Processing Society - Edmonton Conference, 1986.	
	043	HENDERSON, D. Austin, Jr., et al., "Rooms: The Use of Multiple Virtual Workspaces to Reduce Space Contention in a Window-Based Graphical User Interface", ACM Trans. On Graphics, Vol. 5, No. 3, pp.211-243, July 1986.	

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	044	ROBEK, Mary F., et al., "Information and Records Management", 3rd ed., Glencoe Publishing Co., pp. 160-163, 179-181, 192-193, 224-229, 248-251, (1987).	
	045	LYNCH, Vincent, "American Jukebox - The Classic Years", Chronicle Books, pp.36, 74-75, (1990).	
	046	ROBERTSON, G. G., et al., "Cone Trees: Animated 3D Visualizations of Hierarchical Information", UIR-R-1991-06, (1991).	
	047	CARD, S. K., et al., "The Information Visualizer: An Information Workspace", UIR-R-1991-01, (1991).	
	048	MACKINLAY, Jock D., et al., "The Perspective Wall: Detail and Context Smoothly Integrated", UIR-R-1991-03, (1991).	
	049	KAY, Alan C., "The Early History of Smalltalk", ACM SIGPLAN Notices, Vol. 28, No. 3, March 1993.	
	050	ADAMS, Michael, et al., "Jukeboxes", Schiffer Publishing, Ltd., pp. 85-86, 103-104, 105, (1996).	
	051	CARD, Stuart K., et al., "The WebBook and the Web Forager: An Information Workspace for the World-Wide Web", CHI '96 Conference on Human Factors in Computing Systems, April 13-18, 1996.	
	052	MEYERS, Brad A., "A Brief History of Human-Computer Interaction Technology", Interactions, pp.44-54, 1998.	
	053	BARDINI, Thierry, "Bootstrapping", Stanford University Press, Chapter 6, pp.143-181, (2000).	
	054	SUTHERLAND, Ivan Edward, "Sketchpad: A Man-Machine Graphical Communication System", PhD Dissertation at the Massachusetts Institute of Technology, January 1963.	
	055	ENGELBART, Doug, "The Click Heard Round the World", Wired Magazine, 2004.	
	056	REIMER, Jeremy, "A History of the GUI", arstechnica.com, May 5, 2005.	
	057	"The Library of Congress Classification System", August 2006.	
	058	BARNES, Susan B, "Alan Kay: Transforming the Computer into a Communication Medium", IEEE Annals of the History of Computing, 2007.	

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	First Named Inventor:	Eric FREEMAN		
	Art Unit:	3992		
	Examiner Name	Christopher E. Lee		
	Atty. Docket No.	1584/80553		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, symposium, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
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Submitted by: ISK
Ivan Kavrukov, Reg. No. 25,161

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application No.	Filing Date
	90/010,506	June 28, 1996
	First Named Inventor:	
	Eric FREEMAN	
	Art Unit: 3992	
Examiner Name Christopher E. Lee		
Atty. Docket No. 1584/80553		

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 Ivan Kavrukov, Reg. No. 25,161

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	125	USDC - EDTX 6:08-cv-88 LED MIRROR WORLDS v. APPLE INC.; Dkt# 221-25 EXPERT REBUTTAL REPORT OF JOHN LEVY, Ph.D. (partially redacted)	
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Examiner Initials*	Cite No.	Document Number Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Pages, Lines, etc.

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Ivan Kavrukov, Reg. No. 25,161

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