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Table with 4 columns: APPLICATION NUMBER (14/070,117), FILING OR 371(C) DATE (11/01/2013), FIRST NAMED APPLICANT (WILLIAM NICHEL), ATTY. DOCKET NO./TITLE (6367-6-CIP)

CONFIRMATION NO. 4334

PUBLICATION NOTICE



22442
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

Title:SAFETY DEVICE FOR POWER CUTTING TOOLS

Publication No.US-2016-0151931-A9
Publication Date:06/02/2016

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	05/24/2016	9346184	6367-6-CIP	4334

22442 7590 05/04/2016  
Sheridan Ross PC  
1560 Broadway  
Suite 1200  
Denver, CO 80202

### ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

#### **Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)** (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

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 Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

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

WILLIAM NIICHEL, PUEBLO WEST, CO;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov).

**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.

22442 7590 03/16/2016  
**Sheridan Ross PC**  
 1560 Broadway  
 Suite 1200  
 Denver, CO 80202

**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.

LORI R. BROWN	(Depositor's name)
/LORI R. BROWN/	(Signature)
04/26/2016	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NIICHEL	6367-6-CIP	4334

TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	06/16/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALIE, GHASSEM	3724	083-448000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,</p> <p>(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> <p>1 <u>SHERIDAN ROSS P.C.</u></p> <p>2 _____</p> <p>3 _____</p>
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

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

<p>4a. The following fee(s) are submitted:</p> <p><input checked="" type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (<b>Please first reapply any previously paid issue fee shown above</b>)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number <u>191970</u> (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /TODD P. BLAKELY/ Date 04/26/2016  
 Typed or printed name TODD P. BLAKELY Registration No. 31328

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	14070117
<b>Filing Date:</b>	01-Nov-2013
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Attorney Docket Number:</b>	6367-6-CIP

Filed as Small Entity

**Filing Fees for Utility under 35 USC 111(a)**

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Utility Appl Issue Fee	2501	1	480	480

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>480</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	25604775
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6-CIP
<b>Receipt Date:</b>	26-APR-2016
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	18:46:43
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$480
RAM confirmation Number	4962
Deposit Account	191970
Authorized User	BLAKELY, TODD P.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 CFR 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 CFR 1.21 (Miscellaneous fees and charges)

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	ISSUE_FEE_TRANSMITTAL.pdf	90712 7f3d2d4f74558ff9acfa8545d10954bbd2284e81	no	1

### Warnings:

### Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30641 7d99d3a1ed2bd1651218e0511cdb3bb59192a6b7	no	2
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### Warnings:

### Information:

**Total Files Size (in bytes):** 121353

**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.**



NOTICE OF ALLOWANCE AND FEE(S) DUE

22442 7590 03/16/2016
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

Table with 2 columns: EXAMINER (ALIE, GHASSEM), ART UNIT (3724), PAPER NUMBER

DATE MAILED: 03/16/2016

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

14/070,117 11/01/2013 WILLIAM NIICHEL 6367-6-CIP 4334
TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, 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 ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.
If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.
If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".
For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

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.

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

22442 7590 03/16/2016  
**Sheridan Ross PC**  
 1560 Broadway  
 Suite 1200  
 Denver, CO 80202

**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.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NIICHEL	6367-6-CIP	4334

TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	06/16/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALIE, GHASSEM	3724	083-448000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) The names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1</p> <p>(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2</p> <p>_____ 3</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

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

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (<b>Please first reapply any previously paid issue fee shown above</b>)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
---	--

5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

**NOTE:** This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
14/070,117 11/01/2013 WILLIAM NIICHEL 6367-6-CIP 4334

22442 7590 03/16/2016
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

EXAMINER

ALIE, GHASSEM

ART UNIT PAPER NUMBER

3724

DATE MAILED: 03/16/2016

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

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

## OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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. 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, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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.

### Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>Notice of Allowability</b>	<b>Application No.</b> 14/070,117	<b>Applicant(s)</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	<b>AIA (First Inventor to File) Status</b> Yes

**-- 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 02/12/16.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2.  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
3.  The allowed claim(s) is/are 21-42. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- 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.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
 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).**
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 7. <input type="checkbox"/> Other _____.   |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____.                     |  |

/GHASSEM ALIE/  
Primary Examiner, Art Unit 3724

Art Unit: 3724

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/12/16 has been entered.

***Priority***

2. Domestic priority claim of the instant application to 61,721,390 filed on 11/01/12; which is a CIP of 13/295,813 filed on 11/14/2011; which claims benefits to 61/413,283 filed on 11/12/10, 61/431,275 filed on 01/10/11, and 61/533,663 filed on 09/12/11 is acknowledged. See attached application data sheet.

***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: The claims are allowable because prior art fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, in combination with other limitations set forth in claim 21. The prior art also fails to teach that the base is adjustably

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positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, in combination with other limitations set forth in claim 42.

Regarding claims 21 and 42, Jukoff (2002/0029822 A1) teaches an anti-kickback device for use with a powered cutting tool 26 having a rotating cutting element for cutting a work piece, a table 12 having at least one surface 16 for supporting a work piece 24 prior during and after cutting, and a guide fence 22 having a second surface oriented perpendicular to the at least a one surface 16 of the at least one table, comprising: a. a mounting plate 46 secured to the table proximate the rotating cutting element; b. a base 58 secured to the mounting plate, adjustably positionable relative to the mounting plate and the cutting element; c. a first bearing assembly 28 pivotally affixed to the base for applying pressure against a first surface of a work piece 24 to push the work piece against the guide fence 22, the first bearing assembly comprising an elongate bearing arm having a first portion 30 and a second portion 92 disposed at an angle (at least a zero angle) relative to the first portion, a first bearing member disposed at the end of the first portion 30 opposite the second portion and having a first bearing 32 pivot about which the first bearing rotates, the first bearing member for engaging a work piece, a first bearing arm pivot 36 disposed in the first portion 30 and about which the first bearing arm pivots relative to the base disposed, and first adjustable biasing means 88 connected between the base (the elbow member 100 of the base) and the second portion 92 whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the work piece surface; a second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the

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second bearing assembly comprising a second elongate bearing arm having a first portion 130 and a second portion (defined by the elbow member) disposed at an angle relative to the first portion, a second bearing member 132 disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot 136, and second adjustable biasing means 188 whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element. See Figs. 1-7 in Jukoff. Jukoff does not explicitly teach that the second bearing assembly is affixed to the same base. However, the use of an anti-kickback device having a base which is mounted on a mounting plate and carries two different bearing assemblies is old and well known in the art such as taught by Schwarz (7,140,286).

Schwartz teaches a mounting plate 20 and a base 12 adjustably mounted of a mounting assembly. Schwarz also teaches that the base includes a first bearing assembly 21 and a second bearing assembly 77 disposed on the same base 12. See Figs. 1-3 in Schwarz. It would have been obvious to a person of ordinary skill in the art modify the base of Jukoff's anti-kickback as taught by Schwarz in order to facilitated adjustment of the second bearing assembly relative to the first bearing assembly and the fence and reduce the number of parts of the anti-kickback assembly.

However, Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from

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the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, as set forth in claim 21. Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, as set forth in claim 42.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 21 and 42.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Choi can be reached on (571) 272-4504. 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



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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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ghassem Alie/

Primary Examiner, Art Unit 3724

March 9, 2016

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 15:34
S2	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S3	703	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S4	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S5	120	144/253.6.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:35
S6	0	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S7	6791	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S8	13785	S1 OR S2 OR S3 OR S4 OR S4 OR S7	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S9	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 18:53
S10	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2015/01/20 18:53

			DERWENT; IBM_TDB			
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S12	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
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S14	13785	S9 OR S10 OR S11 OR S12 OR S12 OR S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
S15	420	S14 and kickback	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
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S17	4784	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S18	712	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S19	2215	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S20	6953	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S21	14286	S16 OR S17 OR S18 OR S19 OR S19 OR S20	US-PGPUB; USPAT;	OR	ON	2015/08/03 11:56

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S24	139	"92918"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:31
S25	71	"92918"	USPAT; USOCR	OR	ON	2015/08/03 15:32
S26	29	"0092918"	USPAT; USOCR	OR	ON	2015/08/03 15:32
S27	7	"1511916"	USPAT; USOCR	OR	ON	2015/08/03 15:33
S28	1456	"30"/\$.ccls. and blade with slid\$4 with pivot\$4	USPAT; USOCR	OR	ON	2015/08/03 15:37
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S30	251	"30"/\$.ccls. and blade with slid\$4 with pivot\$4 with knife	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:38
S31	364	83/448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:44
S32	2215	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:45
S33	4	S31 and S32	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2015/08/03 15:45

			IBM_TDB			
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S40	2277	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S41	7080	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S42	14502	S37 OR S38 OR S39 OR S40 OR S40 OR S41	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S43	460	S42 and kickback	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57

3/9/2016 2:54:53 PM


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**BIB DATA SHEET**
**CONFIRMATION NO. 4334**

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
14/070,117	11/01/2013	083	3724	6367-6-CIP		
<b>APPLICANTS</b> <b>INVENTORS</b> WILLIAM NICHEL, PUEBLO WEST, CO; <b>** CONTINUING DATA *****</b> This appln claims benefit of 61/721,390 11/01/2012 and is a CIP of 13/295,813 11/14/2011 ABN which claims benefit of 61/413,283 11/12/2010 and claims benefit of 61/431,275 01/10/2011 and claims benefit of 61/533,663 09/12/2011 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** * SMALL ENTITY **</b> 11/15/2013						
Foreign Priority claimed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Met after Allowance	<b>STATE OR COUNTRY</b>	<b>SHEETS DRAWINGS</b>	<b>TOTAL CLAIMS</b>	<b>INDEPENDENT CLAIMS</b>
35 USC 119(a-d) conditions met	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Initials	CO	21	20	2
Verified and Acknowledged	/GHASSEM ALIE/ Examiner's Signature					
<b>ADDRESS</b> Sheridan Ross PC 1560 Broadway Suite 1200 Denver, CO 80202 UNITED STATES						
<b>TITLE</b> SAFETY DEVICE FOR POWER CUTTING TOOLS						
<b>FILING FEE RECEIVED</b> 730	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:			<input type="checkbox"/> All Fees		
				<input type="checkbox"/> 1.16 Fees (Filing)		
				<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)		
				<input type="checkbox"/> 1.18 Fees (Issue)		
				<input type="checkbox"/> Other _____		
			<input type="checkbox"/> Credit			

<b>Search Notes</b>  	<b>Application/Control No.</b>  14070117	<b>Applicant(s)/Patent Under Reexamination</b>  NIICHEL, WILLIAM
	<b>Examiner</b>  GHASSEM ALIE	<b>Art Unit</b>  3724

CPC- SEARCHED		
Symbol	Date	Examiner
B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D59/00	1/20/15	GA
Updated	07/22/15	GA
Updated	11/11/15	GA
Updated	03/09/16	GA

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
83	477,471,472,477.2,582,574,446,451,448,450	1/20/15	GA
30	375,376.377.378	1/20/15	GA
29	401.1	1/20/15	GA
144	253.6	1/20/15	GA
	Updated	07/22/15	GA
	Updated	11/11/15	GA
	Updated	03/09/16	GA

SEARCH NOTES		
Search Notes	Date	Examiner
EAST, Inventor, and Text Search	01/20/15	GA
Updated	07/22/15	GA
Updated	11/11/15	GA
Updated	03/09/16	GA

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner


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## INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
83	448,450	07/22/15	GA
29	401.1	07/22/15	GA
	Updated	11/11/15	GA
	Updated	03/09/16	GA

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<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	

CPC						
Symbol					Type	Version
B27G		19		02	F	2013-01-01
B23D		59		00	I	2013-01-01
B26D		7		22	I	2013-01-01
Y10T		29		49716	A	2015-01-15
Y10T		83		747	A	2015-04-01
Y10T		83		744	A	2015-04-01
B27B		25		10	I	2013-01-01

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version


NONE		<b>Total Claims Allowed:</b>	
		22	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/GHASSEM ALIE/ Primary Examiner.Art Unit 3724	03/09/2016	1	17
(Primary Examiner)	(Date)		



<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

<input type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b>																<input type="checkbox"/> <b>CPA</b>		<input type="checkbox"/> <b>T.D.</b>		<input type="checkbox"/> <b>R.1.47</b>	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
1	21	17	37																		
2	22	18	38																		
3	23	19	39																		
4	24	20	40																		
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7	27																				
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13	33																				
14	34																				
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16	36																				

NONE		<b>Total Claims Allowed:</b>	
		22	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/GHASSEM ALIE/ Primary Examiner.Art Unit 3724	03/09/2016	1	17
(Primary Examiner)	(Date)		

<b>Index of Claims</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>


-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	10/16/2014	01/20/2015	08/03/2015	11/11/2015	03/09/2016			
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	2	÷	-	-	-	-			
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	5	÷	-	-	-	-			
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	7	÷	-	-	-	-			
	8	÷	-	-	-	-			
	9	÷	-	-	-	-			
	10	÷	-	-	-	-			
	11	÷	-	-	-	-			
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	15	÷	-	-	-	-			
	16	÷	-	-	-	-			
	17	÷	-	-	-	-			
	18	÷	-	-	-	-			
	19	÷	-	-	-	-			
	20	÷	-	-	-	-			
1	21		✓	=	=	=			
2	22		✓	=	=	=			
3	23		✓	=	=	=			
4	24		✓	=	=	=			
5	25		✓	=	=	=			
6	26		✓	=	=	=			
7	27		✓	=	=	=			
8	28		✓	=	=	=			
9	29		✓	=	=	=			
10	30		✓	=	=	=			
11	31		✓	=	=	=			
12	32		✓	=	=	=			
13	33		✓	=	=	=			
14	34		✓	=	=	=			
15	35		✓	=	=	=			
16	36		✓	=	=	=			

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	10/16/2014	01/20/2015	08/03/2015	11/11/2015	03/09/2016			
17	37		✓	=	=	=			
18	38			=	=	=			
19	39			=	=	=			
20	40			=	=	=			
21	41			=	=	=			
22	42			=	=	=			

## Office of Petitions: Routing Sheet



**Application No. 14070117**

**This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.**

**GRANTED (518 + 535)**

**DISMISSED**

**DENIED**

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14070117



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

GRANT, CHARLEMA

Count (1) - Palm Credit

14/070,117

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 518 - 37 CFR 1.182 REQUEST FOR EXPEDITED CONSID



Notes:

Count (2)

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 535 - 37 CFR 1.78(a)(3) & (a)(6) UNINTENTIONAL DELAY P



Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box



Printed on: 2/25/2016



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/070,117, 11/01/2013, 3724, 730, 6367-6-CIP, 20, 2

CONFIRMATION NO. 4334
CORRECTED FILING RECEIPT

22442
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202



Date Mailed: 02/26/2016

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s) WILLIAM NIICHEL, PUEBLO WEST, CO;

Applicant(s) WILLIAM NIICHEL, PUEBLO WEST, CO;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/721,390 11/01/2012
and is a CIP of 13/295,813 11/14/2011 ABN
which claims benefit of 61/413,283 11/12/2010
and claims benefit of 61/431,275 01/10/2011
and claims benefit of 61/533,663 09/12/2011

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: No

Permission to Access Search Results: No

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.



**If Required, Foreign Filing License Granted:** 11/15/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/070,117**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

SAFETY DEVICE FOR POWER CUTTING TOOLS

**Preliminary Class**

083

**Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications:** Yes

### **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NICHEL	6367-6-CIP	4334
22442	7590	02/29/2016	EXAMINER	
Sheridan Ross PC 1560 Broadway Suite 1200 Denver, CO 80202			ALIE, GHASSEM	
			ART UNIT	PAPER NUMBER
			3724	
			NOTIFICATION DATE	DELIVERY MODE
			02/29/2016	ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

e-docket@sheridanross.com



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Commissioner for Patents  
United States Patent and Trademark Office  
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In re Application of :  
Nichel :  
Application No. 14/070,117 : DECISION ON PETITIONS  
Filed: November 1, 2013 : UNDER 37 CFR 1.78(c) AND (e)  
Attorney Docket No. 6367-6-CIP :  
:

This is a decision on the renewed petition under 37 CFR 1.78(c) and 1.78(e), filed February 12, 2016, to accept an unintentionally delayed claim under 35 U.S.C. §§ 119(e) and 120 for the benefit of priority to the prior-filed provisional application(s) and nonprovisional application(s) as set forth in the Application Data Sheet (ADS) also filed February 12, 2016. This is also a decision on the petition to expedite under 37 CFR 1.182 filed on February 12, 2016. It is noted that a request for continued examination (RCE) was also filed on February 12, 2016.

DECISION UNDER 1.182

In general, decisions on petitions are rendered in the order in which they are received by the USPTO. However, the USPTO will consider expediting the rendering of a decision on petition provided petitioner submits a petition to expedite (and required fee) under 37 CFR 1.182.

However, a petition to expedite under 37 CFR 1.182 (along with required petition fee) was filed on February 12, 2016.

In view thereof, the petition to expedite under 37 CFR 1.182 is hereby **GRANTED**.

DECISION UNDER 37 CFR 1.78

The renewed petitions under 37 CFR 1.78(c) and (e) are **GRANTED**.

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(c) and 1.78(e) must be accompanied by:

- (1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(d)(2) and 1.78(a)(3) of the prior-filed application, unless previously submitted;
- (2) the petition fee set forth in § 1.17(m); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(d)(3) and 1.78(a)(4) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Art Unit: OPET

By decision mailed February 12, 2016, the initial petitions under 1.78(c) and (e) were dismissed. All requirements of 37 CFR 1.78(c) and (e) were met, except the petition did not include the references required by 35 U.S.C. 119(e). The ADS contained direct claims for priority to provisional applications 61/533,663, 61/431,275, and 61/413,283. However, this application was not filed within twelve months of the provisional applications. Accordingly, the claims for priority, and the ADS that they were contained in, were not accepted.

On renewed petition, an ADS containing a proper specific reference to both the prior-filed nonprovisional and provisional applications has been filed. This ADS is in compliance with 37 CFR 1.76 and is acceptable.

In addition, petitioner has now met the requirement that the nonprovisional application claiming the benefit of the prior-filed provisional application (or an intermediate nonprovisional application or international application designating the United States) be filed within 12 months of the filing date of the provisional application. This application filed November 1, 2013 was filed within twelve months of the filing date, November 1, 2012, of provisional application No. 61/721,390 for which the late claim for priority is sought. An intermediate application, 13/295,813 for which a late claim for priority is now sought, was filed on (Monday) November 14, 2011, which is filed within twelve months of the filing dates, November 11, 2010, January 10, 2011 and September 12, 2011 respectively, of provisional application Nos. 61/413,283, 61/431,275 and 61/533,663 for which the late claim for priority is sought. See 35 U.S.C. 119(e)(3). The claim for priority of the benefit of the three provisional applications was made in intermediate application No. 13/295,813 on filing.

As to the prior-filed nonprovisional applications, the relationship to this application is set forth as required by 35 U.S.C. 120 (i.e. continuation).

The provisional application filing fees were paid.

The duplicate \$850.00 petition fee will be refunded to deposit account 19-1970.

All the above requirements having been satisfied, the late claim for benefit of priority under 35 U.S.C. §§ 119(e) and 120 is accepted as being unintentionally delayed.

**The granting of the petition to accept the delayed benefit claim to the prior-filed applications under 37 CFR §§ 1.78(c) and 1.78(e) should not be construed as meaning that this application is entitled to the benefit of the filing date of the prior-filed applications. In order for this application to be entitled to the benefit of the prior-filed applications, all other requirements under 35 U.S.C. §§120 and 119(e) and under 1.78 must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed applications should not be construed as meaning that applicant is entitled to the claim for benefit of priority to the prior-filed applications noted thereon. Accordingly, the examiner**

Art Unit: OPET

**will, in due course, consider this benefit claim and determine whether the application is entitled to the benefit of the earlier filing date.**

This application is being forwarded to Technology Center Art Unit 3724 for consideration by the examiner of the claim under 35 U.S.C. §§ 119(e) and 120 of the prior-filed provisional and nonprovisional applications.

Any questions concerning this matter may be directed to Attorney Advisor Charlema Grant at (571) 272-3215.

/Nancy Johnson/

Nancy Johnson  
Attorney Advisor  
Office of Petitions

Enclosure: Corrected Filing Receipt



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/070,117, 11/01/2013, 3724, 730, 6367-6-CIP, 20, 2

CONFIRMATION NO. 4334
CORRECTED FILING RECEIPT

22442
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202



Date Mailed: 02/26/2016

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s) WILLIAM NIICHEL, PUEBLO WEST, CO;

Applicant(s) WILLIAM NIICHEL, PUEBLO WEST, CO;

Power of Attorney: None

Domestic Priority data as claimed by applicant

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and is a CIP of 13/295,813 11/14/2011 ABN
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Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: No

Permission to Access Search Results: No

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

**If Required, Foreign Filing License Granted:** 11/15/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/070,117**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

SAFETY DEVICE FOR POWER CUTTING TOOLS

**Preliminary Class**

083

**Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications:** Yes

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**LICENSE FOR FOREIGN FILING UNDER**  
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**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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---

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/070,117	11/01/2013	WILLIAM NICHEL	6367-6-CIP

**CONFIRMATION NO. 4334**

**PUB REQUEST ACCEPTANCE  
LETTER**



22442  
Sheridan Ross PC  
1560 Broadway  
Suite 1200  
Denver, CO 80202

Date Mailed: 02/26/2016

**NOTICE OF ACCEPTANCE OF PUBLICATION REQUEST**

The request for voluntary publication, amended publication, early publication, redacted publication, republication, corrected publication or revised publication has been received for this application. The request, including payment of any necessary fee(s), is in compliance with 37 CFR 1.215, 1.217, 1.219 or 1.221.

The projected publication date is 06/02/2016.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/dterry/



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NICHEL	6367-6-CIP	4334
22442	7590	02/12/2016	EXAMINER	
Sheridan Ross PC 1560 Broadway Suite 1200 Denver, CO 80202			ALIE, GHASSEM	
			ART UNIT	PAPER NUMBER
			3724	
			NOTIFICATION DATE	DELIVERY MODE
			02/12/2016	ELECTRONIC

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In re Application of :  
Nichel :  
Application No. 14/070,117 : DECISION ON PETITIONS  
Filed: November 1, 2013 : UNDER 37 CFR 1.78(c) AND (e)  
Attorney Docket No. 6367-6-CIP :  
:

This is a decision on the “PETITION RELATED TO UNINTENTIONALLY DELAYED DOMESTIC BENEFIT CLAIM” filed November 6, 2015, to accept an unintentionally delayed claim for priority to the nonprovisional applications as set forth in the November 6, 2015 Application Data Sheet (ADS). This petition is properly treated under 37 CFR 1.78(c) and 37 CFR 1.78(e) to accept an unintentionally delayed claim under 35 U.S.C. §§ 119(e) and 120 for the benefit of priority to the prior-filed provisional application(s) and nonprovisional application(s). This is also a decision on the petition to expedite under 37 CFR 1.182 filed on January 6, 2016.

DECISION UNDER 1.182

In general, decisions on petitions are rendered in the order in which they are received by the USPTO. However, the USPTO will consider expediting the rendering of a decision on petition provided petitioner submits a petition to expedite (and required fee) under 37 CFR 1.182.

However, a petition to expedite under 37 CFR 1.182 (along with required petition fee) was filed on January 6, 2016.

In view thereof, the petition to expedite under 37 CFR 1.182 is hereby **GRANTED**.

DECISION UNDER 37 CFR 1.78

The petitions under 37 CFR 1.78(c) and (e) are **DISMISSED**.

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(c) and 1.78(e) must be accompanied by:

- (1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(d)(2) and 1.78(a)(3) of the prior-filed application, unless previously submitted;
- (2) the petition fee set forth in § 1.17(m); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(d)(3) and 1.78(a)(4) and the date the claim was filed was

Art Unit: OPET

unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

In addition, the nonprovisional application claiming the benefit of the prior-filed provisional application (or an intermediate nonprovisional application or international application designating the United States) must have been filed within 12 months of the filing date of the provisional application. See 35 U.S.C. 119(e)(3).

The instant petition includes payment of the petition fee. The petition is not grantable because it fails to satisfy requirements (1) set forth above.

As to item (1), Petitioner has submitted an application data sheet (ADS) containing a reference to prior-filed nonprovisional application No. 13/295,813 and provisional application Nos. 61/721,390, 61/533,663, 61/431,275, and 61/413,283. The specific reference to applications 61/721,390 and 13/295,813 is proper. However, the reference to the provisional applications 61/533,663, 61/431,275, and 61/413,283 is not proper.

35 U.S.C. 119(e)(1) provides that:

An application for patent filed under section 111(a) or section 363 for an invention disclosed in the manner provided by section 112(a) (other than the requirement to disclose the best mode) in a provisional application filed under section 111(b), by an inventor or inventors named in the provisional application, shall have the same effect, as to such invention, as though filed on the date of the provisional application filed under section 111(b), *if the application for patent filed under section 111(a) or section 363 is filed not later than 12 months after the date on which the provisional application was filed* and if it contains or is amended to contain a specific reference to the provisional application. (*emphasis added*).

The instant application seeks to directly claim benefit of provisional application Nos. 61/533,663, 61/431,275, and 61/413,283 under 35 U.S.C. 119(e). However, this application was not filed within twelve months from the filing date of the provisional applications. It appears that applicant should have made this claim for priority via intermediate application No. 13/295,813. The supplemental ADS contains a claim for priority under 35 U.S.C. 120 to application No. 13/295,813. Further, intermediate application No. 13/295,813 was filed within twelve months of provisional application Nos. 61/533,663, 61/431,275, and 61/413,283, and as filed included a specific reference to the provisional applications. Thus, it would be appropriate for petitioner to claim priority to the provisional applications via the intermediate application.

Before the petition under 37 CFR §§ 1.78(c) and 1.78(e) can be granted, a renewed petition and a supplemental application data sheet in compliance with 37 CFR 1.76(c)(2) to correct the above matters are required.

Art Unit: OPET

Further correspondence with respect to this matter may be submitted as follows:

By mail:                   Mail Stop PETITIONS  
                              Commissioner for Patents  
                              Post Office Box 1450  
                              Alexandria, VA 22313-1450

By hand:                   Customer Service Window  
                              Mail Stop Petitions  
                              Randolph Building  
                              401 Dulany Street  
                              Alexandria, VA 22314

By fax:                   (571) 273-8300  
                              ATTN: Office of Petitions

By internet:              EFS-Web<sup>1</sup>

Any questions concerning this matter may be directed to Charlema Grant at (571) 272-3215.

/Nancy Johnson/

Nancy Johnson  
Attorney Advisor  
Office of Petitions

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<sup>1</sup> [www.uspto.gov/ebc/efs\\_help.html](http://www.uspto.gov/ebc/efs_help.html) (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197).

## Office of Petitions: Routing Sheet



**Application No. 14070117**

**This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.**

**GRANTED (518)**

**DISMISSED (535)**

**DENIED**

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14070117



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

GRANT, CHARLEMA

Count (1) - Palm Credit

14/070,117

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 518 - 37 CFR 1.182 REQUEST FOR EXPEDITED CONSID



Notes:

Count (2)

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 535 - 37 CFR 1.78(a)(3) & (a)(6) UNINTENTIONAL DELAY P



Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box



Printed on: 2/10/2016



### REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL (Submitted Only via EFS-Web)

Application Number	14/070,117	Filing Date	2013-11-01	Docket Number (if applicable)	6367-6-CIP	Art Unit	3724
First Named Inventor	NIICHEL			Examiner Name	ALIE, GHASSEM		

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.** Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

#### SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

Other \_\_\_\_\_

Enclosed

Amendment/Reply

Information Disclosure Statement (IDS)

Affidavit(s)/ Declaration(s)

Other

#### MISCELLANEOUS

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months \_\_\_\_\_ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

Other

#### FEES

**The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**

The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

<input checked="" type="checkbox"/> Patent Practitioner Signature
<input type="checkbox"/> Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	TODD P. BLAKELY/	Date (YYYY-MM-DD)	2016-02-12
Name	TODD P. BLAKELY	Registration Number	31328

This collection of information is required by 37 CFR 1.114. 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.

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

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:	)	Group Art Unit: 3724
NIICHEL	)	Confirmation No.: 4334
Serial No.: 14/070,117	)	Examiner: ALIE, GHASSEM
Filed: November 1, 2013	)	
Atty. File No.: 6367-6-CIP	)	<b><u>SUBMISSION</u></b>
Entitled: "SAFETY DEVICE FOR POWER CUTTING TOOLS"	)	Electronically Submitted

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant provides this Submission with the filing of a Request for Continued Examination. The Commissioner is authorized to charge Deposit Account No. 19-1970 for any fees deemed necessary.

**Remarks** begin on page 2 of this paper.

## REMARKS

Applicant has submitted a Request for Continued Examination. The sole reason for submitting the RCE is to allow sufficient time for the Petitions Branch to review and decide a Renewed Petition Related to Unintentionally Delayed Domestic Benefit Claim and a related Petition to Expedite.

The claims pending in the present application were previously allowed. Applicant makes no changes to the claims. Applicant believes that the claims remain in condition for allowance anticipates receiving a Notice of Allowance relatively soon.

Because of the age of the Inventor, this application has been accorded special status.

If it would be helpful, the Examiner is encouraged to call and discuss this case with the undersigned.

Respectfully submitted,  
SHERIDAN ROSS P.C.

By: /TODD P. BLAKELY/  
Todd P. Blakely  
Registration No. 31,328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: February 12, 2016

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

**SUPPLEMENTAL**

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	<u>14/070,117</u>
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

**Secrecy Order 37 CFR 5.2:**

Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

**Inventor Information:**

Inventor 1 <span style="float: right;">Remove</span>				
Legal Name				
Prefix	Given Name	Middle Name	Family Name	Suffix
	WILLIAM		NIICHEL	
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service				
City	PUEBLO WEST	State/Province	CO	Country of Residence US
Mailing Address of Inventor:				
Address 1	516 MEREDITH DRIVE			
Address 2				
City	PUEBLO WEST	State/Province	CO	
Postal Code	81007	Country	US	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the <b>Add</b> button. <span style="float: right;">Add</span>				

**Correspondence Information:**

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.	
Customer Number	22442
Email Address	<span style="float: right;">Add Email Remove Email</span>

**Application Information:**

Title of the Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
Attorney Docket Number	6367-6-CIP	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	21	Suggested Figure for Publication (if any)	

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

<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6-CIP
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

**Filing By Reference:**

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

**Publication Information:**

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> <b>Request Not to Publish.</b> I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application <b>has not and will not</b> be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

**Representative Information:**

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.			
Please Select One:			
<input checked="" type="radio"/>	Customer Number	<input type="radio"/>	US Patent Practitioner
<input type="radio"/>		<input type="radio"/>	Limited Recognition (37 CFR 11.9)
Customer Number	22442		

**Domestic Benefit/National Stage Information:**

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	<del>Pending</del>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	<del>Claims benefit of provisional</del>	<del>61721390</del>	<del>2012-11-01</del>

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

Prior Application Status	<del>Expired</del>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	<del>Claims benefit of provisional</del>	<del>61533663</del>	<del>2011-09-12</del>
Prior Application Status	<del>Expired</del>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	<del>Claims benefit of provisional</del>	<del>61431275</del>	<del>2011-01-10</del>
Prior Application Status	<del>Expired</del>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	<del>Claims benefit of provisional</del>	<del>61413283</del>	<del>2010-11-12</del>
Prior Application Status	<del>Abandoned</del>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	<del>Continuation in part of</del>	<del>13295813</del>	<del>2011-11-14</del>
Prior Application Status	<u>Expired</u>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
<u>14070117</u>	<u>Claims benefit of provisional</u>	<u>61721390</u>	<u>2012-11-01</u>
Prior Application Status	<u>Abandoned</u>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
<u>14070117</u>	<u>Continuation in part of</u>	<u>13295813</u>	<u>2011-11-14</u>
Prior Application Status	<u>Expired</u>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
<u>13295813</u>	<u>Claims benefit of provisional</u>	<u>61413283</u>	<u>2010-11-12</u>
Prior Application Status	<u>Expired</u>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
<u>13295813</u>	<u>Claims benefit of provisional</u>	<u>61431275</u>	<u>2011-01-10</u>
Prior Application Status	<u>Expired</u>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
<u>13295813</u>	<u>Claims benefit of provisional</u>	<u>61533663</u>	<u>2011-09-12</u>



<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

## Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)<sup>i</sup> the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Application Number	Country <sup>j</sup>	Filing Date (YYYY-MM-DD)	Access Code <sup>k</sup> (if applicable)

Remove

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

## Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6-CIP
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

## Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

**NOTE:** This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

### 1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

**A. Priority Document Exchange (PDX)** - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

**B. Search Results from U.S. Application to EPO** - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

### 2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

**NOTE:** Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6-CIP
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

## Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

**Applicant 1**

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Assignee
   
  Legal Representative under 35 U.S.C. 117
   
  Joint Inventor

Person to whom the inventor is obligated to assign.
   
  Person who shows sufficient proprietary interest

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

\_\_\_\_\_

Name of the Deceased or Legally Incapacitated Inventor: \_\_\_\_\_

If the Applicant is an Organization check here.

Prefix	Given Name	Middle Name	Family Name	Suffix

**Mailing Address Information For Applicant:**

Address 1			
Address 2			
City		State/Province	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

## Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

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

<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6-CIP
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

<b>Assignee 1</b>				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
<b>Mailing Address Information For Assignee including Non-Applicant Assignee:</b>				
Address 1				
Address 2				
City		State/Province		
Country <sup>i</sup>	Postal Code			
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

**Signature:**

**NOTE:** This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). However, if this Application Data Sheet is submitted with the **INITIAL** filing of the application and either box A or B is **not** checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/TODD P. BLAKELY/		Date (YYYY-MM-DD)	2016-02-12
First Name	TODD P.	Last Name	BLAKELY	Registration Number 31328

Additional Signature may be generated within this form by selecting the Add button.

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

<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6-CIP
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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.**

# Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: )  
NIICHEL )  
Serial No.: 14/070,117 )  
Filed: November 1, 2013 )  
Atty. File No.: 6367-6-CIP )  
Entitled: "SAFETY DEVICE FOR )  
POWER CUTTING TOOLS" )

Group Art Unit: 3724  
Confirmation No.: 4334  
Examiner: ALIE, GHASSEM

**PETITION TO EXPEDITE**  
**HANDLING OF**  
**RENEWED PETITION RELATED**  
**TO UNINTENTIONALLY**  
**DELAYED DOMESTIC BENEFIT**  
**CLAIM**

Electronically Submitted

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant respectfully requests the Renewed Petition Related to Unintentionally Delayed Domestic Benefit Claim filed February 12, 2016 be addressed on an expedited basis pursuant to 37 CFR 1.182 and 1.102(c)(1).

The present application was filed on November 1, 2013. On December 22, 2014 Applicant filed a Response to Restriction Requirement and Preliminary Amendment, and a Corrected Application Data Sheet correcting the domestic benefit claim to earlier filed applications. A Notice of Allowance and Fee(s) Due was issued August 7, 2015, with the Issue Fee due November 9, 2015. A Response to Request for Corrected Filing Receipt was issued November 5, 2015, rejecting the claim of priority as being not timely filed pursuant to 37 CFR 1.78. In order to correct the claim of priority, on November 6, 2015, Applicant filed a Request for Continued Examination, a Petition Related to Unintentionally Delayed Domestic Benefit Claim, Preliminary Amendment and Corrected Application Data Sheet. A Notice of Allowance was issued on November 17, 2015, and the Issue Fee is due February 17, 2016. On February 12, 2016 a Decision on Petitions Under 37 CFR 1.78(c) and (e) dismissed Applicant's Petition but

stated a renewed petition can be granted provided Applicant submits a Supplemental Application Data Sheet in compliance with 37 CFR 1.76(c)(2). Applicant has submitted a Supplemental Application Data Sheet.

Applicant desires to have the priority claim for the present application corrected on an expedited basis. Based upon the history of this application, Applicant expects to receive a Notice of Allowance relatively soon. Therefore, pursuant to Rules 1.182 and 1.102(c)(1), Applicant respectfully requests expedited handling and grant of its Renewed Petition for an Unintentionally Delayed Claim of Domestic Priority.

The Commissioner is authorized to charge Deposit Account No. 19-1970 the fee required by 37 CFR 1.17(f), or any other applicable rule, based upon small entity status.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: /Todd P. Blakely/  
Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: February 12, 2016



## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	14070117
<b>Filing Date:</b>	01-Nov-2013
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Attorney Docket Number:</b>	6367-6-CIP

Filed as Small Entity

### Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
Petition Fee - 37 CFR 1.17(F)(Group I)	2462	1	200	200
Pet. Delay Sub or Restore Priority-Claim	2454	1	850	850

### Patent-Appeals-and-Interference:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
RCE- 2nd and Subsequent Request	2820	1	850	850
<b>Total in USD (\$)</b>				<b>1900</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	24898232
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6-CIP
<b>Receipt Date:</b>	12-FEB-2016
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	10:42:30
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1900
RAM confirmation Number	7841
Deposit Account	191970
Authorized User	BLAKELY, TODD P.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 CFR 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 CFR 1.21 (Miscellaneous fees and charges)

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	2016_02_17_RCE_2.pdf	1350014	no	3
			b76e281103be7471f9a4994ff648080df6338ce		
<b>Warnings:</b>					
<b>Information:</b>					
2	Applicant Arguments/Remarks Made in an Amendment	RCE2_SUBMISSION.pdf	67798	no	2
			cd8430a4cb0c6c14053e096432aceb47f77c8219		
<b>Warnings:</b>					
<b>Information:</b>					
3	Application Data Sheet	CORRECTED_ADS2_PTO_SCAN.pdf	500151	no	9
			93cec31d33331289e85af6ee34616a9772be9f88		
<b>Warnings:</b>					
<b>Information:</b>					
This is not an USPTO supplied ADS fillable form					
4	Petition for review by the Office of Petitions	RENEWED_PETITION_FOR_DELAYED_PRIORITY_CLAIM.pdf	89816	no	2
			b4af748f495271436be9a7db9f9ef568c58c3b22		
<b>Warnings:</b>					
<b>Information:</b>					
5	Petition for review by the Office of Petitions	EXPEDITED_HANDLING_PETITION_FOR_DELAYED_PRIORITY_CLAIM_2_.pdf	67622	no	2
			212c435f45bfff9e9b7e46767757cd18e13b69ea		
<b>Warnings:</b>					
<b>Information:</b>					
6	Fee Worksheet (SB06)	fee-info.pdf	33987	no	2
			eb1c336153fa0248dca2746a68dfc87579a0f8e		
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			2109388		

**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.**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: )  
NIICHEL )  
Serial No.: 14/070,117 )  
Filed: November 1, 2013 )  
Atty. File No.: 6367-6-CIP )  
Entitled: "SAFETY DEVICE FOR )  
POWER CUTTING TOOLS" )

Group Art Unit: 3724  
Confirmation No.: 4334  
Examiner: ALIE, GHASSEM

**RENEWED PETITION RELATED**  
**TO UNINTENTIONALLY**  
**DELAYED DOMESTIC BENEFIT**  
**CLAIM**

Electronically Submitted

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

On November 6, 2015, Applicant previously submitted a Petition Related to Unintentionally Delayed Domestic Benefit Claim pursuant to 37 CFR 1.78. That petition was dismissed on the grounds the petition failed to satisfy the requirements of 35 U.S.C. 119(e)(1). (February 12, 2016 Decision On Petitions Under 37 CFR 1.78(c) and (e), p.2.) The decision further stated "before the petition under 37 CFR §§ 1.78(c) and (e) can be granted, a renewed petition and a supplemental application data sheet in compliance with 37 CFR 1.76(c)(2) to correct the above matters are required." (*Id.*)

A Notice of Allowance was issued on November 17, 2015, and the Issue Fee is due February 17, 2016.

In view of the foregoing, Applicant filed a Request for Continuing Examination on February 12, 2016, and respectfully submits this Renewed Petition Related to Unintentionally Delayed Domestic Benefit Claim pursuant to 37 CFR 1.78. A Supplemental Application Data Sheet was submitted on February 12, 2016, concurrent with the filing of the Request for Continuing Examination.

Applicant further states as follows:

- (1) the references required by 35 U.S.C. §§ 119(e) and 120, and by 37 CFR 1.78(c) and (e) have been previously submitted;
- (2) the Commissioner is authorized to charge Deposit Account No. 19-1970 the fee required by 37 CFR 1.17(m), or any other applicable rule, based upon small entity status; and
- (3) The entire delay between the date the claim was due and the date the Renewed Petition was filed was unintentional.

Upon grant of the present Renewed Petition, Applicant respectfully requests an updated Filing Receipt that reflects these changes.

The undersigned is acting in a representative capacity with the permission of the Applicant per 37 CFR 1.34.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: /Todd P. Blakely/  
Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: February 12, 2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: )  
NIICHEL )  
Serial No.: 14/070,117 )  
Filed: November 1, 2013 )  
Atty. File No.: 6367-6-CIP )  
Entitled: "SAFETY DEVICE FOR )  
POWER CUTTING TOOLS" )

Group Art Unit: 3724  
Confirmation No.: 4334  
Examiner: ALIE, GHASSEM

**PETITION TO EXPEDITE**  
**HANDLING OF**  
**PETITION RELATED TO**  
**UNINTENTIONALLY DELAYED**  
**DOMESTIC BENEFIT CLAIM**

Electronically Submitted

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant respectfully requests the Petition Related to Unintentionally Delayed Domestic Benefit Claim filed November 6, 2015 be addressed on an expedited basis pursuant to 37 CFR 1.182 and 1.102(c)(1). Applicant was previously filed and was granted a Petition to Make Special based on age, as the inventor is over 65 years of age. The Issue Fee in this matter is due February 17, 2016.

The present application was filed on November 1, 2013. On December 22, 2014 Applicant filed a Response to Restriction Requirement and Preliminary Amendment, and a Corrected Application Data Sheet correcting the domestic benefit claim to earlier filed applications. A Notice of Allowance and Fee(s) Due was issued August 7, 2015, with the Issue Fee due November 9, 2015. A Response to Request for Corrected Filing Receipt was issued November 5, 2015, rejecting the claim of priority as being not timely filed pursuant to 37 CFR 1.78. In order to correct the claim of priority, on November 6, 2015, Applicant filed a Request for Continued Examination, a Petition Related to Unintentionally Delayed Domestic Benefit Claim, Preliminary Amendment and Corrected Application Data Sheet. On November 17, 2015,



a second Notice of Allowance and Fee(s) Due was issued, with the Issue Fee due February 17, 2016.

Applicant desires to have the priority claim for the present application corrected prior to the February 17, 2016 deadline to pay the Issue Fee in connection with this Application. It is critical that the priority claim for the present application be corrected prior to issuance to prevent an inadvertent or unintended loss of priority in the present application and in subsequent applications. Therefore, pursuant to Rules 1.182 and 1.102(c)(1), Applicant respectfully requests expedited handling and grant of its Petition for an Unintentionally Delayed Claim of Domestic Priority prior to February 17, 2016.

The Commissioner is authorized to charge Deposit Account No. 19-1970 the fee required by 37 CFR 1.17(f), or any other applicable rule, based upon small entity status.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:           /Todd P. Blakely/            
Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: January 6, 2016

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	14070117
<b>Filing Date:</b>	01-Nov-2013
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Attorney Docket Number:</b>	6367-6-CIP

Filed as Small Entity

### Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
Petition Fee - 37 CFR 1.17(F)(Group I)	2462	1	200	200

**Patent-Appeals-and-Interference:**

**Post-Allowance-and-Post-Issuance:**

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>200</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	24549073
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6-CIP
<b>Receipt Date:</b>	06-JAN-2016
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	18:28:55
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$200
RAM confirmation Number	5371
Deposit Account	191970
Authorized User	BLAKELY, TODD P.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 CFR 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 CFR 1.21 (Miscellaneous fees and charges)

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	EXPEDITED_HANDLING_PETITION_FOR_DELAYED_PRIORITY_CLAIM.pdf	67202 dff052411f9706af55156cfac06c60ebc14eb425	no	2

### Warnings:

### Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30445 b1704f22846b73ab48a64462dc6617b6ad6abe62	no	2
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### Warnings:

### Information:

**Total Files Size (in bytes):** 97647

**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.**



NOTICE OF ALLOWANCE AND FEE(S) DUE

22442 7590 11/17/2015
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

Table with 2 columns: EXAMINER (ALIE, GHASSEM), ART UNIT (3724), PAPER NUMBER (4334)

DATE MAILED: 11/17/2015

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

14/070,117 11/01/2013 WILLIAM NIICHEL 6367-6-CIP 4334
TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, 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 ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.
If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.
If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".
For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

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.

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

22442 7590 11/17/2015  
**Sheridan Ross PC**  
 1560 Broadway  
 Suite 1200  
 Denver, CO 80202

**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.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NIICHEL	6367-6-CIP	4334

TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	02/17/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALIE, GHASSEM	3724	083-448000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b>	2. For printing on the patent front page, list (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____ (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____ 3 _____
--	--

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

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

4a. The following fee(s) are submitted: <input type="checkbox"/> Issue Fee <input type="checkbox"/> Publication Fee (No small entity discount permitted) <input type="checkbox"/> Advance Order - # of Copies _____	4b. Payment of Fee(s): ( <b>Please first reapply any previously paid issue fee shown above</b> ) <input type="checkbox"/> A check is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).
--	---

**5. Change in Entity Status (from status indicated above)**

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

**NOTE:** This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
14/070,117 11/01/2013 WILLIAM NIICHEL 6367-6-CIP 4334

22442 7590
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

11/17/2015

EXAMINER

ALIE, GHASSEM

ART UNIT PAPER NUMBER

3724

DATE MAILED: 11/17/2015

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

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.



## OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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. 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, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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.

### Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>Notice of Allowability</b>	<b>Application No.</b> 14/070,117	<b>Applicant(s)</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	<b>AIA (First Inventor to File) Status</b> Yes

**-- 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 11/06/15.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2.  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
3.  The allowed claim(s) is/are 21-42. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/oph/index.jsp](http://www.uspto.gov/patents/init_events/oph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- 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.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
 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).**
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>11/10/15</u> | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                   | 7. <input type="checkbox"/> Other _____.   |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____.                                       |  |

/GHASSEM ALIE/  
Primary Examiner, Art Unit 3724

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/06/15 has been entered.

***Drawings***

2. The drawings were received on 11/06/15. These drawings are accepted.

***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 11/10/15 was filed after the mailing date of the Notice of Allowance on 08/07/15. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance: The claims are allowable because prior art fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, in combination with other

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limitations set forth in claim 21. The prior art also fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, in combination with other limitations set forth in claim 42.

Regarding claims 21 and 42, Jukoff (2002/0029822 A1) teaches an anti-kickback device for use with a powered cutting tool 26 having a rotating cutting element for cutting a work piece, a table 12 having at least one surface 16 for supporting a work piece 24 prior during and after cutting, and a guide fence 22 having a second surface oriented perpendicular to the at least a one surface 16 of the at least one table, comprising: a. a mounting plate 46 secured to the table proximate the rotating cutting element; b. a base 58 secured to the mounting plate, adjustably positionable relative to the mounting plate and the cutting element; c. a first bearing assembly 28 pivotally affixed to the base for applying pressure against a first surface of a work piece 24 to push the work piece against the guide fence 22, the first bearing assembly comprising an elongate bearing arm having a first portion 30 and a second portion 92 disposed at an angle (at least a zero angle) relative to the first portion, a first bearing member disposed at the end of the first portion 30 opposite the second portion and having a first bearing 32 pivot about which the first bearing rotates, the first bearing member for engaging a work piece, a first bearing arm pivot 36 disposed in the first portion 30 and about which the first bearing arm pivots relative to the base disposed, and first adjustable biasing means 88 connected between the base (the elbow member 100 of the base) and the second portion 92 whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the work piece surface; a second bearing assembly for applying pressure against a second surface of the work piece to push

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the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first portion 130 and a second portion (defined by the elbow member) disposed at an angle relative to the first portion, a second bearing member 132 disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot 136, and second adjustable biasing means 188 whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element. See Figs. 1-7 in Jukoff. Jukoff does not explicitly teach that the second bearing assembly is affixed to the same base. However, the use of an anti-kickback device having a base which is mounted on a mounting plate and carries two different bearing assemblies is old and well known in the art such as taught by Schwarz (7,140,286).

Schwartz teaches a mounting plate 20 and a base 12 adjustably mounted of a mounting assembly. Schwarz also teaches that the base includes a first bearing assembly 21 and a second bearing assembly 77 disposed on the same base 12. See Figs. 1-3 in Schwarz. It would have been obvious to a person of ordinary skill in the art modify the base of Jukoff's anti-kickback as taught by Schwarz in order to facilitated adjustment of the second bearing assembly relative to the first bearing assembly and the fence and reduce the number of parts of the anti-kickback assembly.

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However, Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, as set forth in claim 21. Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, as set forth in claim 42.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 21 and 42.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Landrum can be reached on (571) 272-5567. 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

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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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ghassem Alie/

Primary Examiner, Art Unit 3724

November 11, 2015

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 15:34
S2	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S3	703	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S4	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S5	120	144/253.6.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:35
S6	0	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S7	6791	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S8	13785	S1 OR S2 OR S3 OR S4 OR S4 OR S7	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S9	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 18:53
S10	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2015/01/20 18:53



			DERWENT; IBM_TDB			
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S12	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
S13	6791	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
S14	13785	S9 OR S10 OR S11 OR S12 OR S12 OR S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
S15	420	S14 and kickback	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 18:53
S16	2671	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/08/03 11:56
S17	4784	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S18	712	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S19	2215	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S20	6953	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S21	14286	S16 OR S17 OR S18 OR S19 OR S19 OR S20	US-PGPUB; USPAT;	OR	ON	2015/08/03 11:56

				USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S22	456	S21 and kickback		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
S23	70	"092918"		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:31
S24	139	"92918"		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:31
S25	71	"92918"		USPAT; USOCR	OR	ON	2015/08/03 15:32
S26	29	"0092918"		USPAT; USOCR	OR	ON	2015/08/03 15:32
S27	7	"1511916"		USPAT; USOCR	OR	ON	2015/08/03 15:33
S28	1456	"30"/\$.ccls. and blade with slid\$4 with pivot\$4		USPAT; USOCR	OR	ON	2015/08/03 15:37
S29	1804	"30"/\$.ccls. and blade with slid\$4 with pivot\$4		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:37
S30	251	"30"/\$.ccls. and blade with slid\$4 with pivot\$4 with knife		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:38
S31	364	83/448,450.ccls.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:44
S32	2215	29/401.1.ccls.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:45
S33	4	S31 and S32		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2015/08/03 15:45


S37	2671	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	IBM_TDB	USPAT	OR	OFF	2015/11/09 08:57
S38	4831	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S39	715	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S40	2277	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S41	7080	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S42	14502	S37 OR S38 OR S39 OR S40 OR S40 OR S41	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57
S43	460	S42 and kickback	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/09 08:57

## EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S34	200	83/448,450.ccls.	USPAT	OR	ON	2015/08/03 15:45
S35	660	29/401.1.ccls.	USPAT	OR	ON	2015/08/03 15:45
S36	860	S34 or S35	USPAT	OR	ON	2015/08/03 15:45

11/11/2015 7:00:15 AM

C:\Users\galie\Documents\EAST\Workspaces\14070117.wsp

<b>Index of Claims</b>  	<b>Application/Control No.</b>  14070117	<b>Applicant(s)/Patent Under Reexamination</b>  NIICHEL, WILLIAM
	<b>Examiner</b>  GHASSEM ALIE	<b>Art Unit</b>  3724

✓	<b>Rejected</b>
=	<b>Allowed</b>


-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE									
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<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b>  14070117	<b>Applicant(s)/Patent Under Reexamination</b>  NIICHEL, WILLIAM
	<b>Examiner</b>  GHASSEM ALIE	<b>Art Unit</b>  3724

✓	<b>Rejected</b>
=	<b>Allowed</b>


-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
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22	42			=	=				

<b>Search Notes</b>  	<b>Application/Control No.</b>  14070117	<b>Applicant(s)/Patent Under Reexamination</b>  NIICHEL, WILLIAM
	<b>Examiner</b>  GHASSEM ALIE	<b>Art Unit</b>  3724

<b>CPC- SEARCHED</b>		
Symbol	Date	Examiner
B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D59/00	1/20/15	GA
Updated	07/22/15	GA
Updated	11/11/15	GA


<b>CPC COMBINATION SETS - SEARCHED</b>		
Symbol	Date	Examiner

<b>US CLASSIFICATION SEARCHED</b>			
Class	Subclass	Date	Examiner
83	477,471,472,477.2,582,574,446,451,448,450	1/20/15	GA
30	375,376.377.378	1/20/15	GA
29	401.1	1/20/15	GA
144	253.6	1/20/15	GA
	Updated	07/22/15	GA
	Updated	11/11/15	GA

<b>SEARCH NOTES</b>		
Search Notes	Date	Examiner
EAST, Inventor, and Text Search	01/20/15	GA
Updated	07/22/15	GA
Updated	11/11/15	GA

<b>INTERFERENCE SEARCH</b>			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
83	448,450	07/22/15	GA
29	401.1	07/22/15	GA
	Updated	11/11/15	GA


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<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	

CPC						
Symbol					Type	Version
B27G		19		02	F	2013-01-01
B23D		59		00	I	2013-01-01
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Y10T		83		747	A	2015-04-01
Y10T		83		744	A	2015-04-01
B27B		25		10	I	2013-01-01

CPC Combination Sets					
Symbol		Type	Set	Ranking	Version


NONE		<b>Total Claims Allowed:</b>	
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(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/GHASSEM ALIE/ Primary Examiner. Art Unit 3724	11/11/2015	1	17
(Primary Examiner)	(Date)		

<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

US ORIGINAL CLASSIFICATION					INTERNATIONAL CLASSIFICATION									
CLASS		SUBCLASS			CLAIMED					NON-CLAIMED				
83		448			B	2	7	G	19 / 02 (2006.0)					
<b>CROSS REFERENCE(S)</b>					B	2	6	D	7 / 22 (2006.0)					
					B	2	3	D	59 / 00 (2006.0)					
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)													
83	450													
29	401.1													

NONE		<b>Total Claims Allowed:</b>	
(Assistant Examiner)	(Date)	22	
/GHASSEM ALIE/ Primary Examiner. Art Unit 3724	11/11/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	17



<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

<input type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b>																<input type="checkbox"/> <b>CPA</b>		<input type="checkbox"/> <b>T.D.</b>		<input type="checkbox"/> <b>R.1.47</b>	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
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NONE		<b>Total Claims Allowed:</b>	
		22	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/GHASSEM ALIE/ Primary Examiner. Art Unit 3724	11/11/2015	1	17
(Primary Examiner)	(Date)		

Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	14/070,117
				Filing Date	November 1, 2013
				First Named Inventor	William Niichel
				Art Unit	3724
				Examiner Name	Ghassem Alie
				Attorney Docket Number	6367-6-CIP
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	2522965	09/19/1950	Schaufelberger	
	2	2711020	06/21/1955	Hastings	
	3	4485711	12/04/1984	Schnell	
	4	4603612	08/05/1986	Atkins	
	5	5341711	08/30/1994	Stay, Jr. et al.	
	6	8826788	09/09/2014	Rybka	
	7	2006/0288835	12/28/2006	Gregoire	
	8	2012/0031247	02/09/2012	Wang	
	9	2013/0048149	02/28/2013	Liu	
	10	2015/0183123	07/02/2015	Niichel	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> , Number <sup>4</sup> , Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

NON-PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	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.
	11	"Sawing Small Pieces Safely," Popular Science, Jul 1947, Vol. 151, No. 1, page 198
	12	Official Action for U.S. Patent Application No. 14/582,893, mailed Jun. 24, 2015 (Attorney's Ref. No. 6367-9-CIP) 16 pages
	13	Final Action for U.S. Patent Application No. 14/582,893, mailed Oct. 15, 2015 (Attorney's Ref. No. 6367-9-CIP) 28 pages

Examiner Signature	/GHASSEM ALIE/	Date Considered	11/11/2015
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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. Applicant's unique citation designation number (optional). See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number	14/070,117	
				Filing Date	November 1, 2013	
				First Named Inventor	William Niichel	
				Art Unit	3724	
				Examiner Name	Ghassem Alie	
Sheet	1	of	1	Attorney Docket Number	6367-6-CIP	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	2522965	09/19/1950	Schaufelberger	
	2	2711020	06/21/1955	Hastings	
	3	4485711	12/04/1984	Schnell	
	4	4603612	08/05/1986	Atkins	
	5	5341711	08/30/1994	Stay, Jr. et al.	
	6	8826788	09/09/2014	Rybka	
	7	2006/0288835	12/28/2006	Gregoire	
	8	2012/0031247	02/09/2012	Wang	
	9	2013/0048149	02/28/2013	Liu	
	10	2015/0183123	07/02/2015	Niichel	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> , Number <sup>4</sup> , Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

NON-PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	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.
	11	"Sawing Small Pieces Safely," Popular Science, Jul 1947, Vol. 151, No. 1, page 198
	12	Official Action for U.S. Patent Application No. 14/582,893, mailed Jun. 24, 2015 (Attorney's Ref. No. 6367-9-CIP) 16 pages
	13	Final Action for U.S. Patent Application No. 14/582,893, mailed Oct. 15, 2015 (Attorney's Ref. No. 6367-9-CIP) 28 pages

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. Applicant's unique citation designation number (optional). See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	24042764
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Theresa Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6-CIP
<b>Receipt Date:</b>	10-NOV-2015
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	17:01:16
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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Multipart Description/PDF files in .zip description			
	Document Description	Start	End
	Transmittal Letter	1	2
	Information Disclosure Statement (IDS) Form (SB08)	3	3

**Warnings:**

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**Warnings:**

**Information:**

3	Other Reference-Patent/App/Search documents	6367-9-CIP_OA_06-24-2015.pdf	1629078 <small>87f8e54eb9c0d16d528cabac4fc8ff317b5a77c</small>	no	16
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>			5846031		
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**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.**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: ) Group Art Unit: 3724  
William Niichel )  
Serial No.: 14/070,117 ) Confirmation No.: 4334  
Filed: November 1, 2013 ) Examiner: Ghassem Alie  
Atty. File No.: 6367-6-CIP )  
Entitled: "Safety Device for Power Cutting )  
Tools" )  
) SUPPLEMENTAL  
) INFORMATION DISCLOSURE  
) STATEMENT  
) *Electronically Submitted*

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

Dear Commissioner:

The references cited on attached Form PTO/SB08 are being called to the attention of the Examiner.

- Copies of the cited non-patent and/or foreign references are enclosed herewith.
- Copies of the cited U.S. patents and/or patent applications are enclosed herewith.
- Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).
- Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- To the best of applicants' belief, the pertinence of the foreign-language references is believed to be summarized in the attached English abstracts and/or in the figures, although applicants do not necessarily vouch for the accuracy of the translation.
- Examiner's attention is drawn to the following related applications:
  - Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Attorney Ref. No. \_\_\_\_\_)
  - Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Attorney Ref. No. \_\_\_\_\_)
- Other: \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence

of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

**FEES**

<input checked="" type="checkbox"/>	<p><b>37 CFR 1.97(b):</b> No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfied by one of the following conditions ("X" indicates satisfaction):</p> <p><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</p> <p><input type="checkbox"/> Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application, or</p> <p><input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</p> <p><input checked="" type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p><b>37 CFR 1.97(c):</b> The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of any one of the following conditions:</p> <p style="padding-left: 40px;">(1) a final action under 37 C.F.R. 1.113, or  (2) a notice of allowance under 37 C.F.R. 1.311, or  (3) an action that otherwise closes prosecution in the application.</p> <p>This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$90.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p><b>37 CFR 1.97(d):</b> This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p style="text-align: center;">AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$90.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

Respectfully submitted,

SHERIDAN ROSS P.C.

By:           /Todd P. Blakely/            
Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: November 10, 2015



UNITED STATES PATENT AND TRADEMARK OFFICE

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes details for application 14/070,117 filed 11/01/2013 by WILLIAM NIICHEL, attorney 6367-6-CIP, confirmation 4334, examiner ALIE, GHASSEM, art unit 3724, notification date 11/09/2015, delivery mode ELECTRONIC.

7590
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) filed 11/2/15 in the above-identified application fails to meet the requirements of 37 CFR 1.97(d) for the reason(s) specified below. Accordingly, the IDS will be placed in the file, but the information referred to therein has not been considered.

The IDS is not compliant with 37 CFR 1.97(d) because:

- Checked box: The IDS lacks a statement as specified in 37 CFR 1.97(e).
Unchecked box: The IDS lacks the fee set forth in 37 CFR 1.17(p).
Unchecked box: The IDS was filed after the issue fee was paid. Applicant may wish to consider filing a petition to withdraw the application from issue under 37 CFR 1.313(c) to have the IDS considered. See MPEP 1308.

Handwritten initials 'LH' and 'Fa'
571-272-4200 or 1-888-786-0101
Application Assistance Unit
Office of Data Management



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: )  
NIICHEL )  
Serial No.: 14/070,117 )  
Filed: November 1, 2013 )  
Atty. File No.: 6367-6-CIP )  
Entitled: "SAFETY DEVICE FOR )  
POWER CUTTING TOOLS" )

Group Art Unit: 3724  
Confirmation No.: 4334  
Examiner: ALIE, GHASSEM

**PETITION RELATED TO**  
**UNINTENTIONALLY DELAYED**  
**DOMESTIC BENEFIT CLAIM**

Electronically Submitted

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant respectfully submits this Petition Related to Unintentionally Delayed Domestic Benefit Claim pursuant to 37 CFR 1.78.

On December 22, 2014, Applicant filed a Replacement Application Data Sheet ("ADS"). The Replacement ADS corrected the priority claim by adding a claim of priority to additional earlier-filed applications, and requested a corrected filing receipt.

On November 5, 2015, in a document entitled Response to Request for Corrected Filing Receipt, Applicant was notified that the corrected priority claim would not be entered.

Accordingly, Applicant submits simultaneously herewith a Request for Continued Examination and Preliminary Amendment to correct the priority claim for this application. A Corrected ADS is also filed herewith.

Applicant requests an updated Filing Receipt that reflects these changes.

The entire delay between this claim and the Petition was unintentional. The Commissioner is authorized to charge Deposit Account No. 19-1970 the fee required by 37 CFR 1.17(m), or any other applicable rule, based upon small entity status.

This Application has been accorded "special" status pursuant to the October 15, 2014 Decision on Petition to Make Special 37 CFR 1.102(c)(1) and, on this basis, Applicant respectfully requests the processing of this Petition be handled as expeditiously as possible.

The undersigned is acting in a representative capacity with the permission of the Applicant per 37 CFR 1.34.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: /Todd P. Blakely/

Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: November 6, 2015

**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL  
(Submitted Only via EFS-Web)**

Application Number	14/070,117	Filing Date	2013-11-01	Docket Number (if applicable)	6367-6-CIP	Art Unit	3724
First Named Inventor	NIICHEL			Examiner Name	ALIE, GHASSEM		

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.** Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

**SUBMISSION REQUIRED UNDER 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

Other \_\_\_\_\_

Enclosed

Amendment/Reply

Information Disclosure Statement (IDS)

Affidavit(s)/ Declaration(s)

Other Petition Related to Unintentionally Delayed Domestic Benefit Claim

**MISCELLANEOUS**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months \_\_\_\_\_ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

Other This RCE is to correct the priority claim for the present application and to submit formal drawings. No change is made to any of the pending claims which were found allowable in the August 7, 2015 Notice of Allowance.

**FEES**

**The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**

The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 191970

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Patent Practitioner Signature

Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/TODD P. BLAKELY/	Date (YYYY-MM-DD)	2015-11-06
Name	TODD P. BLAKELY	Registration Number	31328

This collection of information is required by 37 CFR 1.114. 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.

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

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:	)	Group Art Unit: 3724
NIICHEL	)	Confirmation No.: 4334
Serial No.: 14/070,117	)	Examiner: ALIE, GHASSEM
Filed: November 1, 2013	)	
Atty. File No.: 6367-6-CIP	)	<b><u>PRELIMINARY AMENDMENT</u></b>
Entitled: "SAFETY DEVICE FOR POWER CUTTING TOOLS"	)	Electronically Submitted

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant submits this Preliminary Amendment with the filing of a Request for Continued Examination. The Commissioner is authorized to charge Deposit Account No. 19-1970 for any fees deemed necessary.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Drawings** being on page 3 of this paper.

**Amendments to the Claims** begin on page 4 of this paper.

**Remarks** begin on page 10 of this paper.

## AMENDMENT TO THE SPECIFICATION

On page 1, line 3 through line 6, please replace the subheading and paragraph with the following subheading and paragraph:

### CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims the benefit of U.S. Provisional Application Serial No. 61/721,390 filed November 1, 2012 entitled "Quick Release for Hold Down Device," and is a continuation-in-part of U.S. Patent Application No. 13/295,813 filed November 14, 2011 entitled "Safety Device for Table Saw" (abandoned), which claims the benefit of U.S. Provisional Patent Application No. 61/413,283 filed November 12, 2010 entitled "Safety Device for Table Saws," U.S. Provisional Patent Application No. 61/431,275 filed January 10, 2011 entitled "Safety Device for Left-Handed Use of Table Saw," and U.S. Provisional Patent Application No. 61/533,663 filed September 12, 2011 entitled "Adjustable Safety Device for Saws," the entirety of each are ~~which is~~ incorporated herein by this reference.

## **AMENDMENT TO THE DRAWINGS**

Applicant submits Replacement Sheets for all of the drawings comprising Figs. 1-51. Applicant has replaced the hand-numbering and lead lines with more formal machine numbering and lead lines. No other changes are made to the drawings.



## AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings of claims in the application:

What is claimed is:

1-20. (Cancelled)

21. (Previously Presented) An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

- a. a mounting plate configured to be secured to the table proximate the rotating cutting element and configured to permit adjustment of the position of the mounting plate relative to the cutting element;
- b. a base secured to the mounting plate, the base adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence;
- c. a first bearing assembly pivotally affixed to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing assembly comprising a first elongate bearing arm having a first portion and a second portion, a first bearing member disposed at the end of the first portion opposite the second portion and having a first bearing pivot about which the first bearing rotates relative to the first portion, the first bearing member for engaging a work piece, a first bearing arm pivot disposed in the first portion and about which the first bearing arm pivots relative to the base, and first adjustable biasing means connected between the base and the first elongate bearing arm whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the first surface of the work piece surface;
- d. a second bearing assembly pivotally affixed to the base for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first

portion and a second portion, a second bearing member disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing pivot about which the second bearing member rotates relative to the second elongate bearing arm, a second bearing arm pivot associated with the second elongate bearing arm and about which the second elongate bearing arm pivots relative to the base, and second adjustable biasing means whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and

- e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element.

22. (Previously Presented) The anti-kickback device of Claim 21, further comprising a third bearing assembly pivotally affixed to the base for applying pressure against the first surface of the work piece to push the work piece against the guide fence, the third bearing assembly comprising a third elongate bearing arm having a first portion and a second portion disposed at an angle relative to the first portion, a third bearing member disposed at the end of the first portion opposite the second portion for engaging a work piece and having a third bearing member pivot about which the third bearing pivots relative to the first portion, a third bearing arm pivot associated with the third bearing arm disposed in the first portion and about which the third bearing arm pivots relative to the base, and third adjustable biasing means connected between the base and the third bearing arm whereby the third bearing member applies a third force against a surface of the work piece at an acute angle relative to the surface.

23. (Previously Presented) The anti-kickback device of Claim 21, wherein the first and second bearing arms are removable from the base.

24. (Previously Presented) The anti-kickback device of Claim 21, wherein a channel is formed in the at least one surface, and the mounting plate comprises a member that seats within the channel and is repositionable within the channel.

25. (Previously Presented) The anti-kickback device of Claim 21, wherein the base comprises a linear slot oriented parallel to the axis of rotation of the cutting element and further comprising a lock member positioned in the slot to secure the position of the base at multiple positions relative to the mounting plate.

26. (Previously Presented) The anti-kickback device of Claim 21, wherein the powered cutting tool has a forward end and a rearward end, wherein the forward end is defined as the end from which the work piece is introduced to the cutting element and the rearward end is defined as the end towards which the work piece exits the cutting element, and wherein the first bearing arm pivot is positioned forward of the first bearing member pivot.

27. (Previously Presented) The anti-kickback device of Claim 21, wherein the first portion and second portion of the first bearing arm are substantially co-planar.

28. (Previously Presented) The anti-kickback device of Claim 22, wherein the first portion and second portion of the first bearing arm and the first portion and second portion of the third bearing arm are substantially co-planar.

29. (Previously Presented) The anti-kickback device of Claim 21, further comprising multiple connection points disposed on the second portion of the first bearing arm for interconnection with the first adjustable biasing means, wherein each connection point causes the first adjustable biasing means to apply a different force to the first bearing member.

30. (Previously Presented) The anti-kickback device of Claim 22, further comprising multiple connection points disposed on the second portion of the third bearing arm for interconnection with the third adjustable biasing means, wherein each connection point causes the third adjustable biasing means to apply a different force to the third bearing member.

31. (Previously Presented) The anti-kickback device of Claim 21, wherein the first force applied by the first bearing member has a first component force that is applied

perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

32. (Previously Presented) The anti-kickback device of Claim 22, wherein the third force applied by the third bearing member has a first component force that is applied perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

33. (Previously Presented) The anti-kickback device of Claim 21, wherein the powered cutting tool is at least three of a table saw, jointer, router, and shaper.

34. (Previously Presented) The anti-kickback device of Claim 21, wherein the first surface and second surface are not parallel.

35. (Previously Presented) The anti-kickback device of Claim 21, wherein the first direction is vertical and the second direction is horizontal.

36. (Previously Presented) The anti-kickback device of Claim 21, wherein the first bearing means and the first biasing assembly and the second bearing assembly are positioned on the opposite side of the cutting element from the guide fence.

37. (Previously Presented) The anti-kickback device of Claim 21, further comprising a stop member associated with the body to define one limit of the rotational position of the first bearing arm.

38. (Previously Presented) The anti-kickback device of Claim 21, further comprising the first portion and second portion of the first elongate bearing arm are oriented in a non-parallel relationship.

39. (Previously Presented) The anti-kickback device of Claim 21, wherein both the first portion and second portion of the first elongate bearing arm are adapted to connect to the first adjustable biasing means.

40. (Previously Presented) The anti-kickback device of Claim 21, wherein both the first portion and second portion of the third elongate bearing arm are adapted to connect to the third adjustable biasing means.

41. (Previously Presented) The anti-kickback device of Claim 22, wherein the second bearing member is positioned relative to the first and third bearing members to engage a work piece between the locations at which the first and third bearing members engage the same work piece.

42. (Previously Presented) An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a horizontal table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

- a. a mounting plate secured to the table proximate the rotating cutting element;
- b. a base secured to the mounting plate, the base remaining substantially horizontal and being positionable relative to the mounting plate to permit the base to move toward and away from the guide fence;
- c. a first bearing assembly secured to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing assembly comprising (i) a first elongate bearing arm (ii) a first bearing member disposed at a distal end of the first elongate bearing arm for engaging the work piece (iii) a first bearing pivot extending substantially vertically and the first elongate bearing arm rotating substantially horizontally about said first bearing pivot (iv) a first adjustable biasing means connected between the base and the first elongate bearing arm, wherein the

first bearing member applies a substantially horizontal force against a first surface of the work piece;

- d. a second bearing assembly secured to the base and offset from the first bearing assembly, the second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising (i) a rotatable shaft extending substantially horizontal (ii) a second elongate bearing arm attached to said rotatable shaft (iii) a second bearing member disposed at a distal end of said second elongate bearing arm, the second elongate bearing arm for engaging the work piece and rotating substantially vertically about said rotatable shaft, (iv) a second adjustable biasing means connected between said base and said second elongate bearing arm wherein the second bearing member applies a substantially vertical force against the second surface of the work piece and therefore in a direction substantially perpendicular to the force applied by the first bearing member.

## REMARKS

Applicant submits this Preliminary Amendment with the filing of a Request for Continued Examination.

The above amendment to the specification is submitted to correct the claim of domestic priority to earlier-filed U.S. continuation-in-part and provisional patent applications. Applicant also submits simultaneously with this filing a Petition Related to Unintentionally Delayed Domestic Benefit Claim and a Corrected Application Data Sheet reflecting the correct claim of domestic priority.

Claims 1-20 have been cancelled. Claims 21-42, submitted with this Preliminary Amendment, were previously allowed in the August 7, 2015 Notice of Allowance. No changes are made to these previously allowed claims.

Applicant also submits Replacement Sheets 1-21 for Figs. 1-51. The replacement drawings substitute machine numbering for the hand-written numbers. No new matter is added to the drawings.

Applicant believes that the claims are in condition for allowance and respectfully requests the same. Because of the age of the Inventor, this application has been accorded special status. On this basis, Applicant respectfully requests expeditious processing of these matters. If it would be helpful, the Examiner is encouraged to call and discuss this case with the undersigned.

Respectfully submitted,  
SHERIDAN ROSS P.C.

By: /TODD P. BLAKELY/  
Todd P. Blakely  
Registration No. 31,328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: November 6, 2015





# REPLACEMENT SHEET

2/21

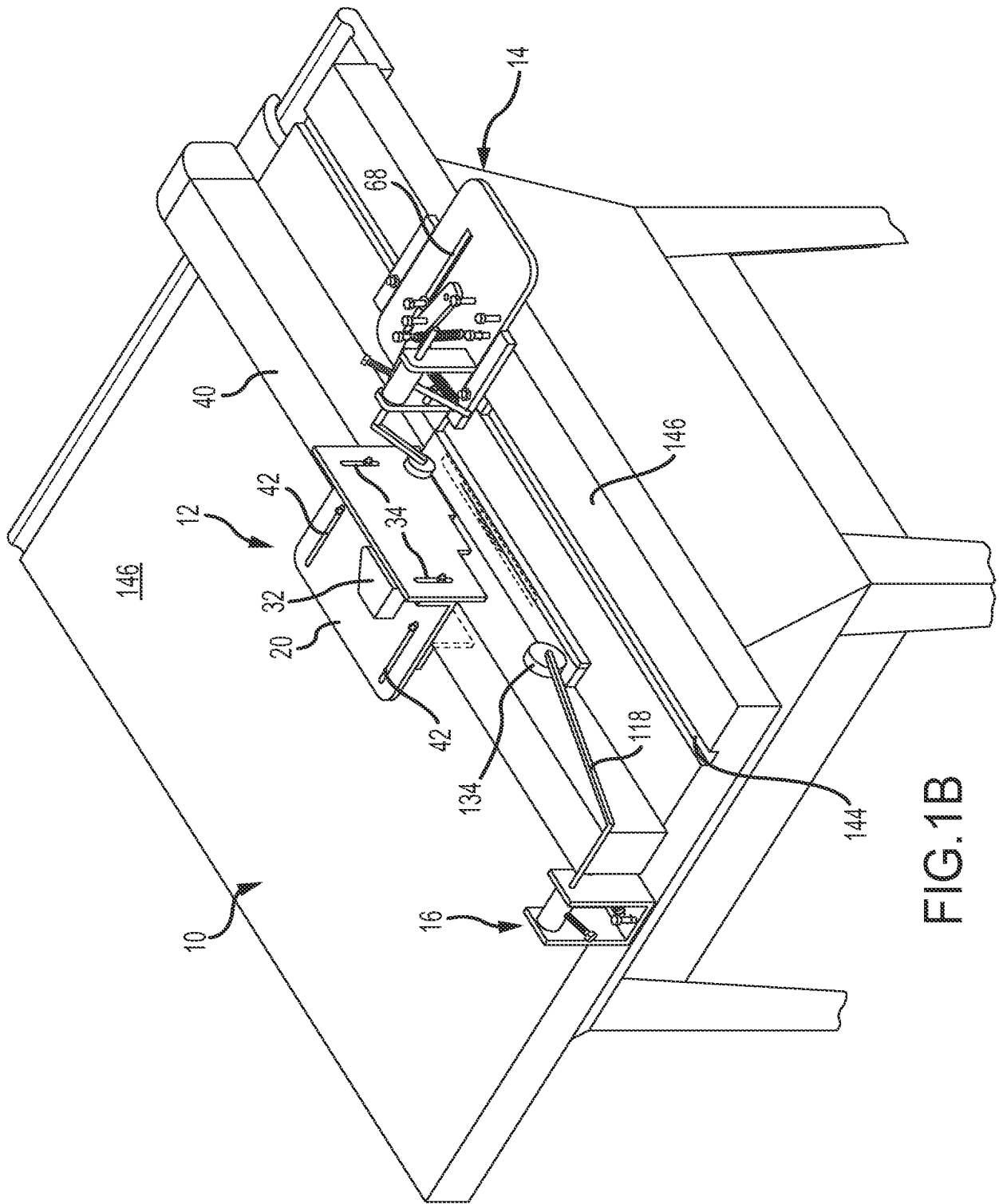


FIG.1B

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3/21

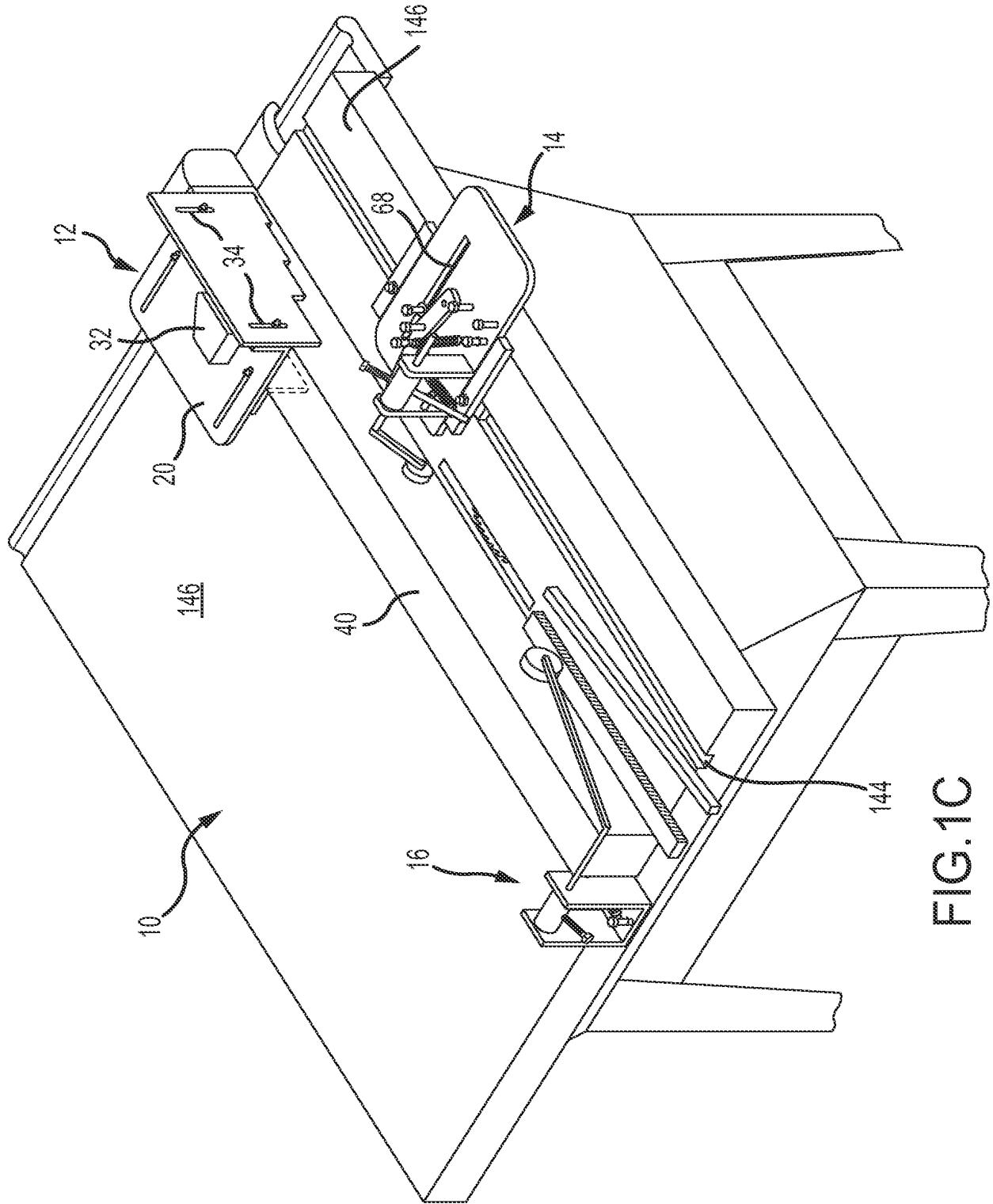


FIG.1C

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4/21

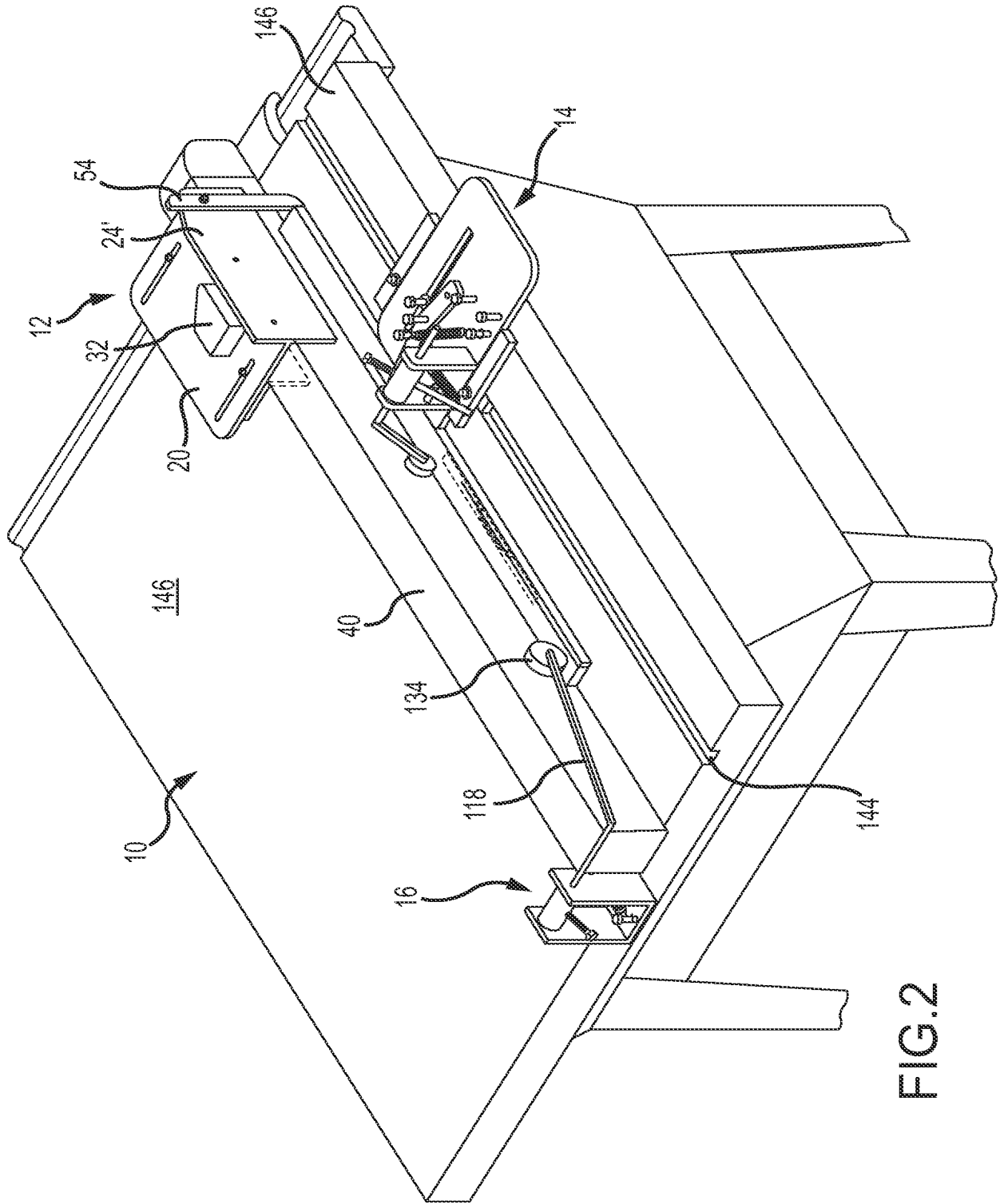


FIG.2

# REPLACEMENT SHEET

5/21

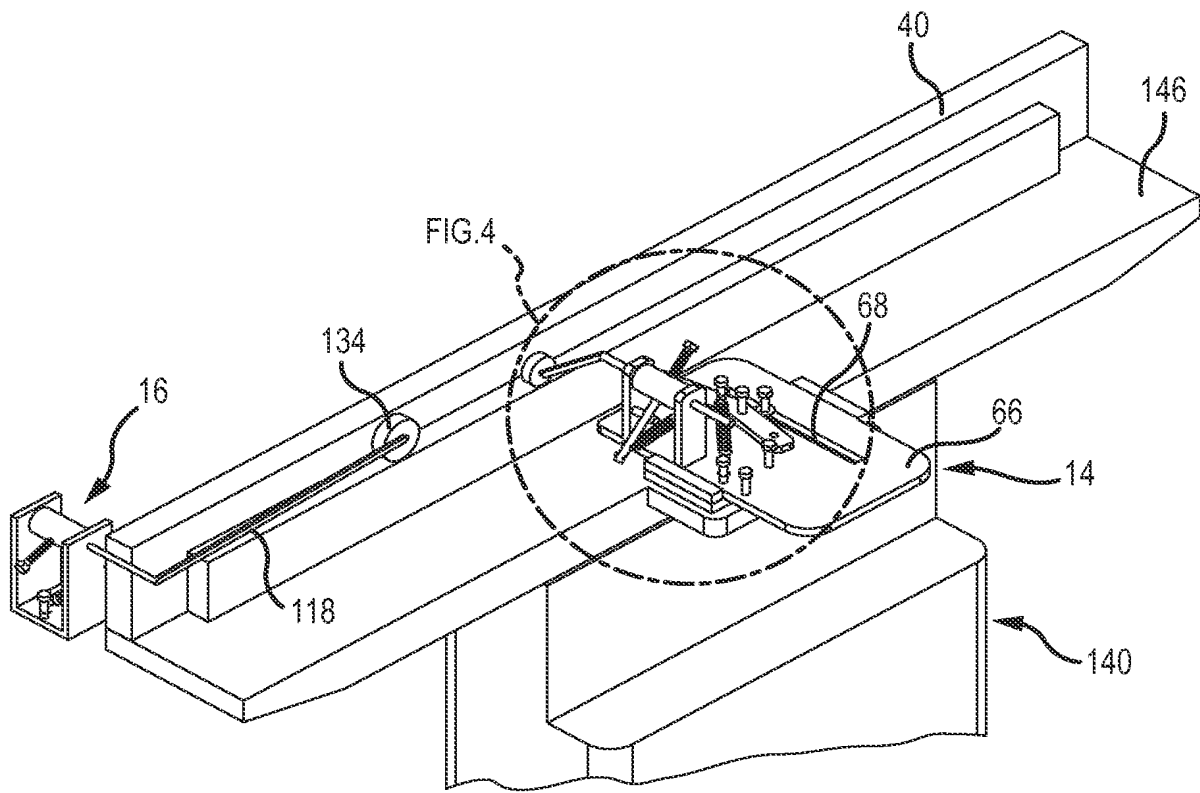


FIG. 3

# REPLACEMENT SHEET

6/21

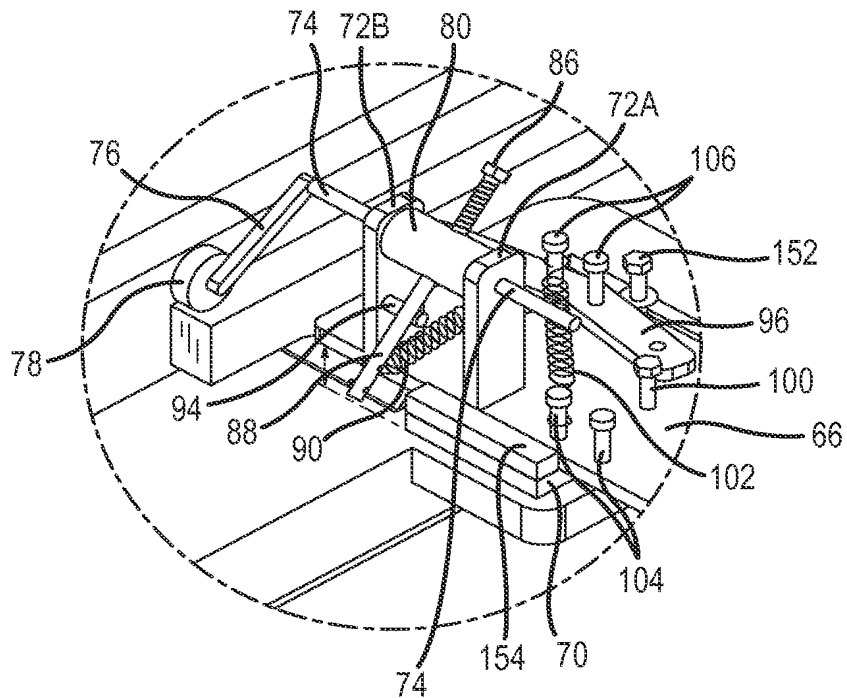
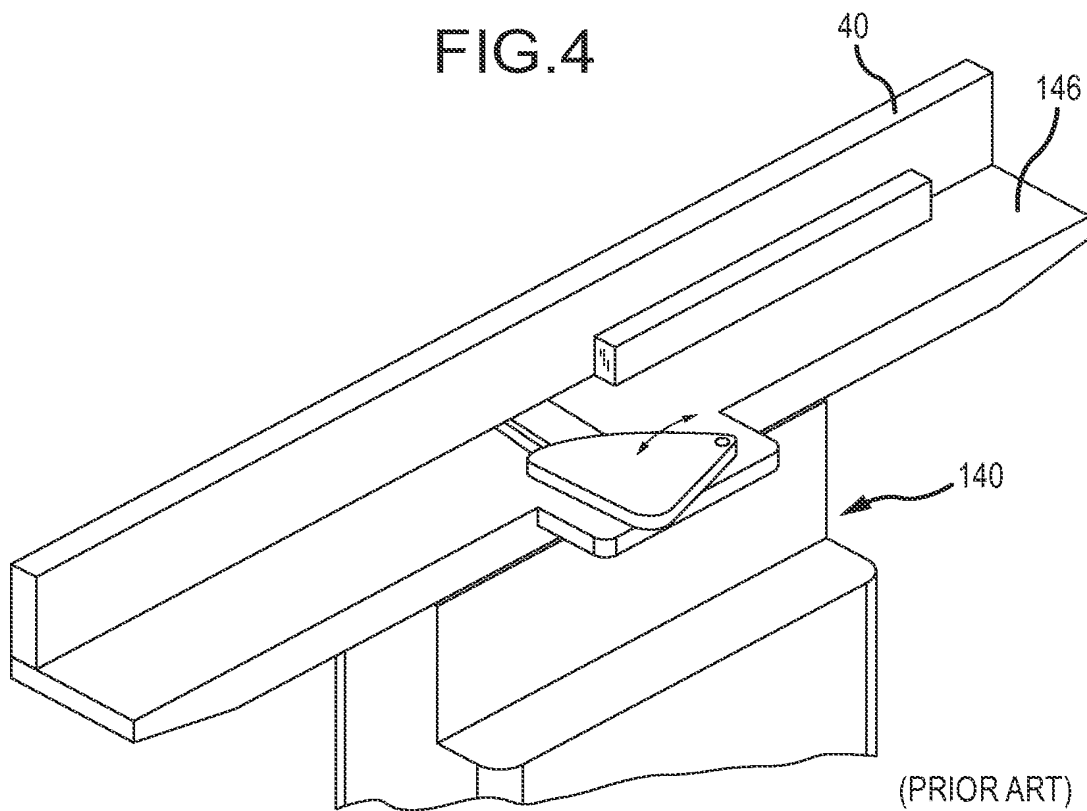


FIG. 4



(PRIOR ART)  
FIG. 5

# REPLACEMENT SHEET

7/21

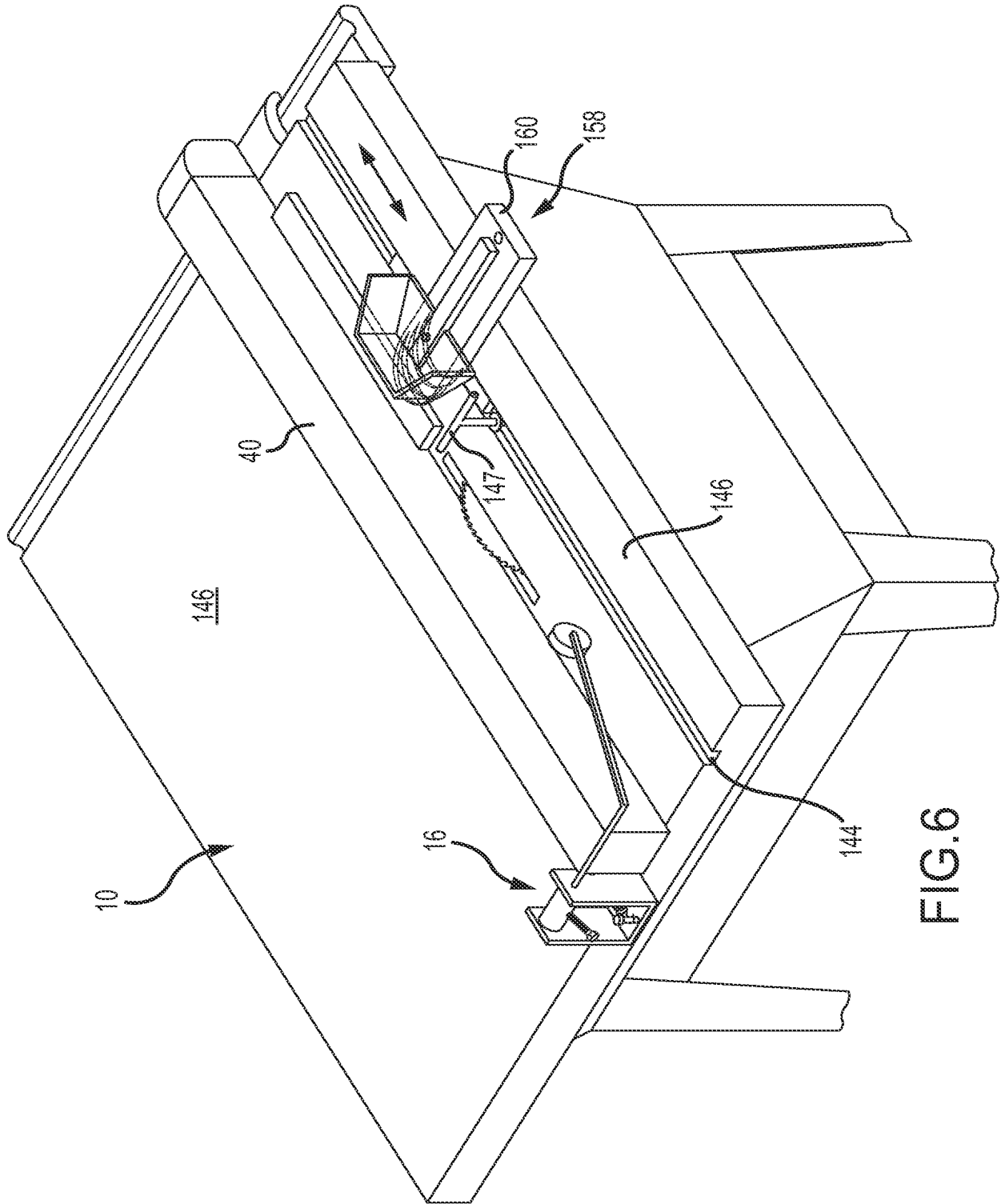


FIG. 6

# REPLACEMENT SHEET

8/21

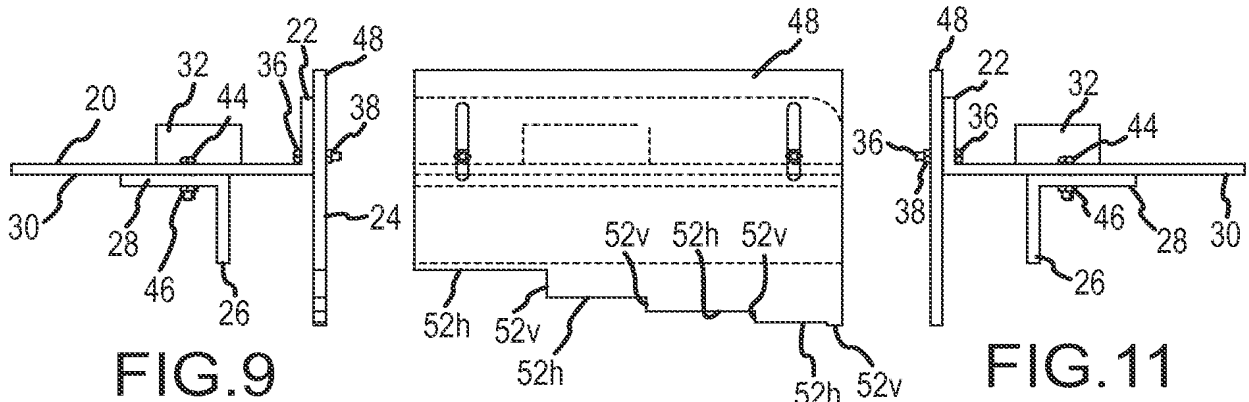
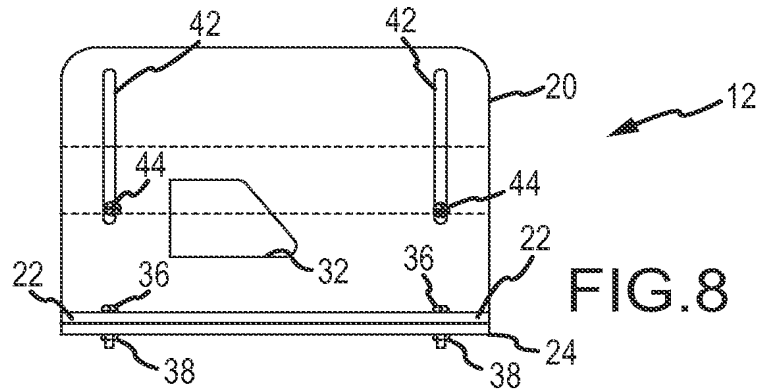
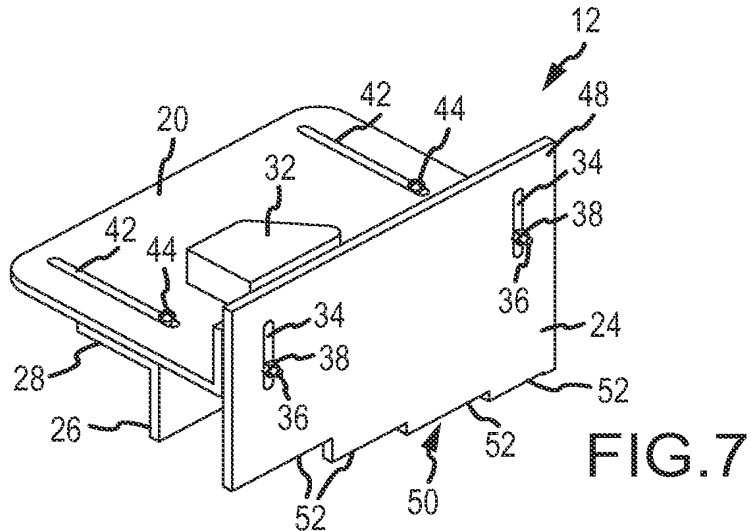


FIG. 9

FIG. 10

FIG. 11

# REPLACEMENT SHEET

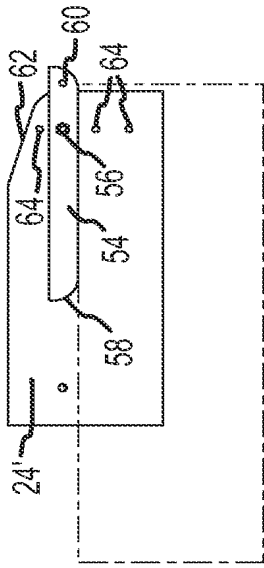


FIG. 15A

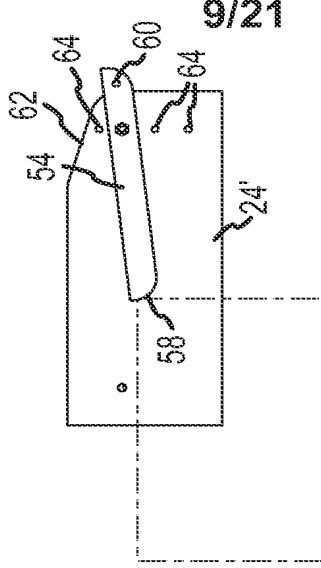


FIG. 15B

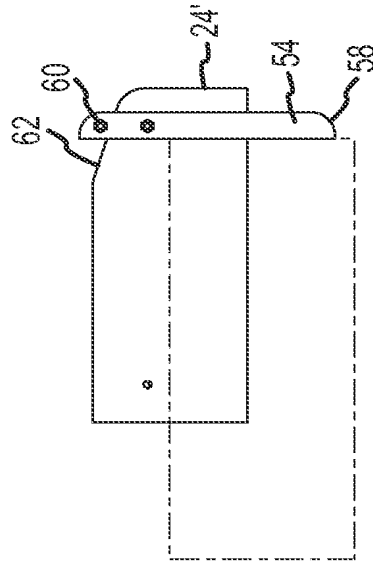


FIG. 15C

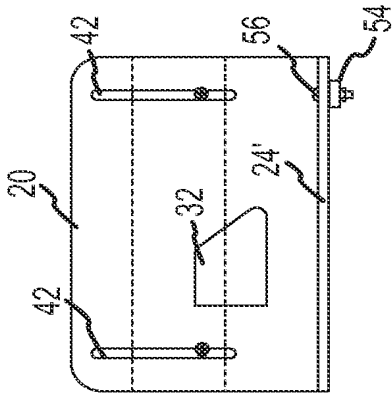


FIG. 13

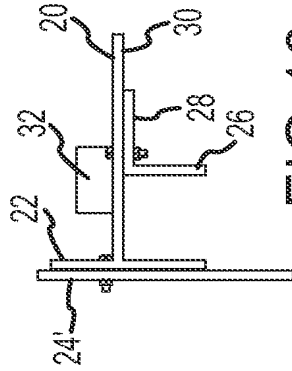


FIG. 16

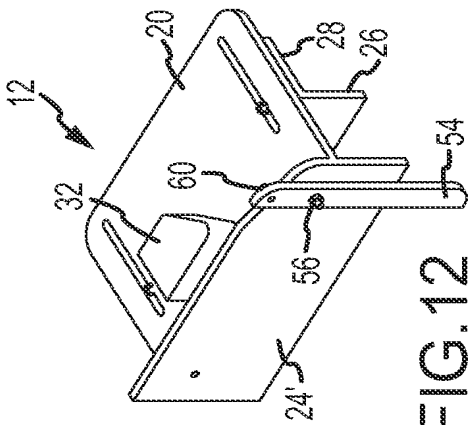


FIG. 12

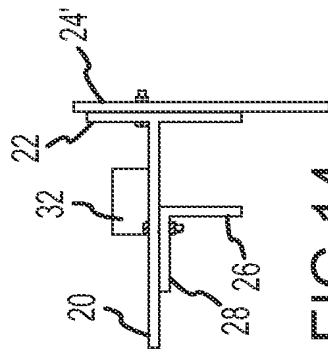


FIG. 14



# REPLACEMENT SHEET

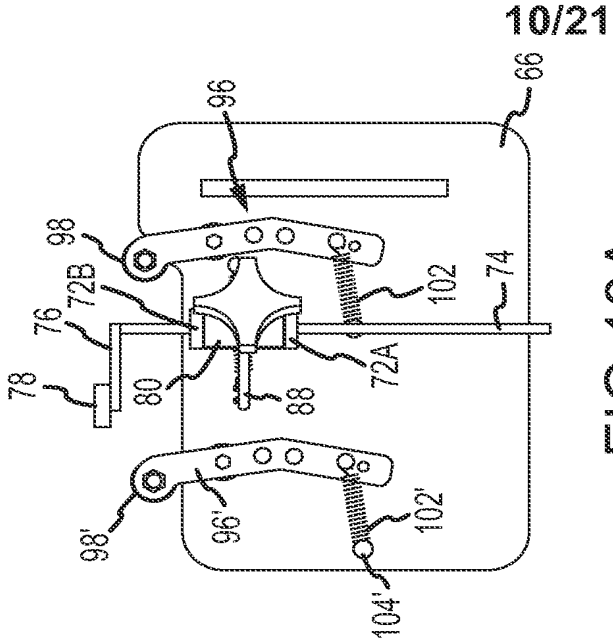


FIG. 17

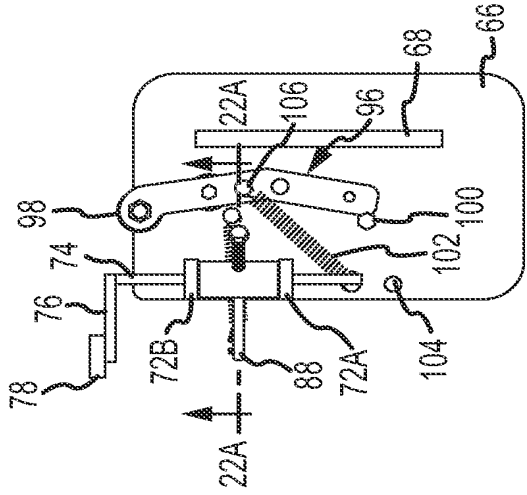


FIG. 18

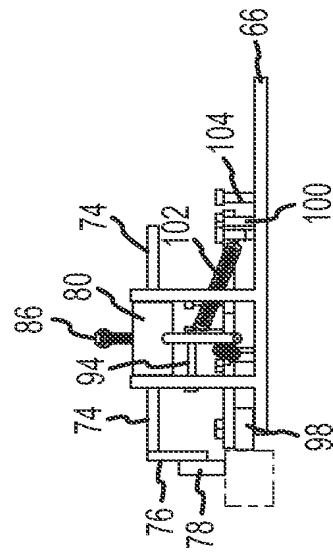


FIG. 19

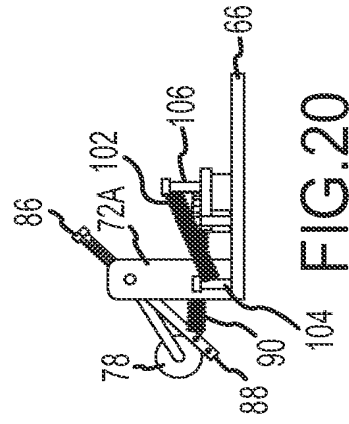


FIG. 20

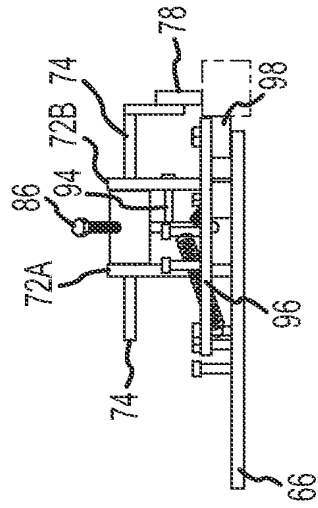


FIG. 21

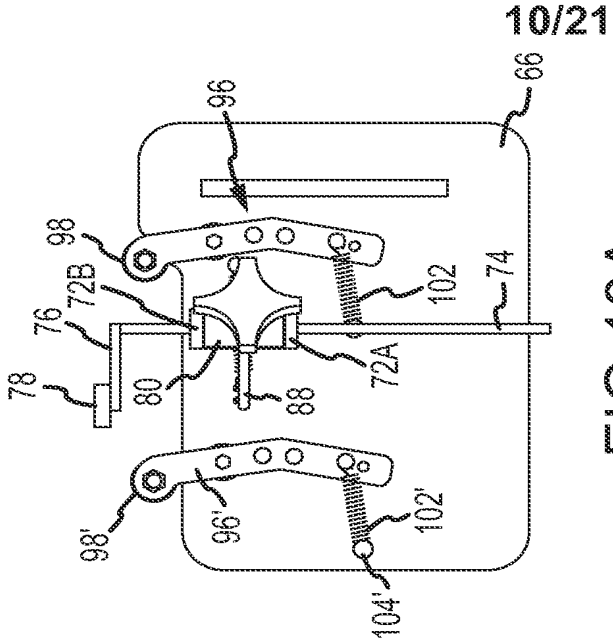


FIG. 18A

# REPLACEMENT SHEET

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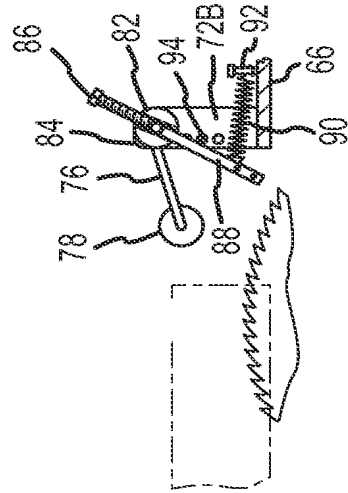


FIG. 22B

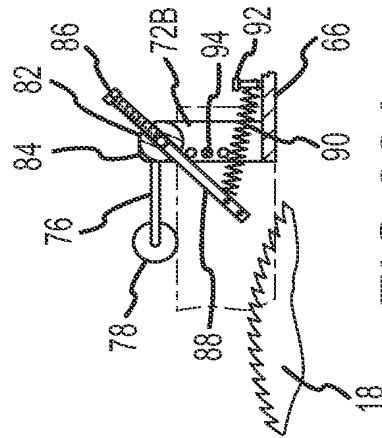


FIG. 22A

# REPLACEMENT SHEET

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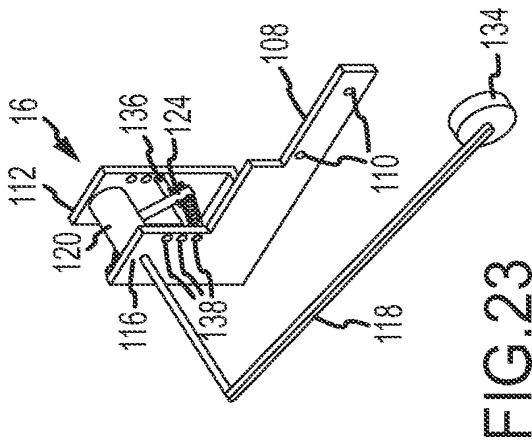


FIG. 23

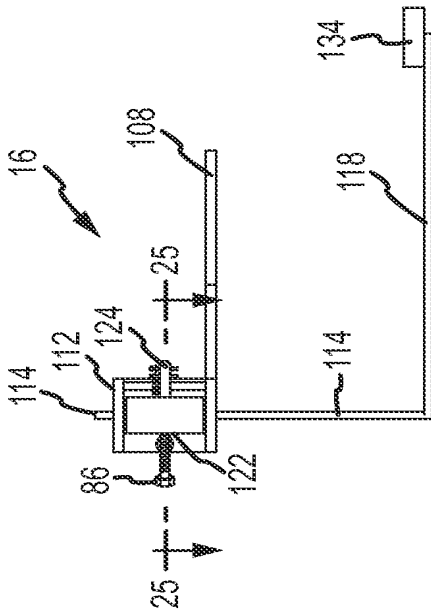


FIG. 24

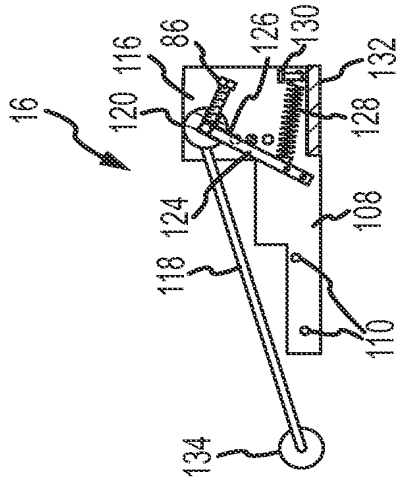


FIG. 25

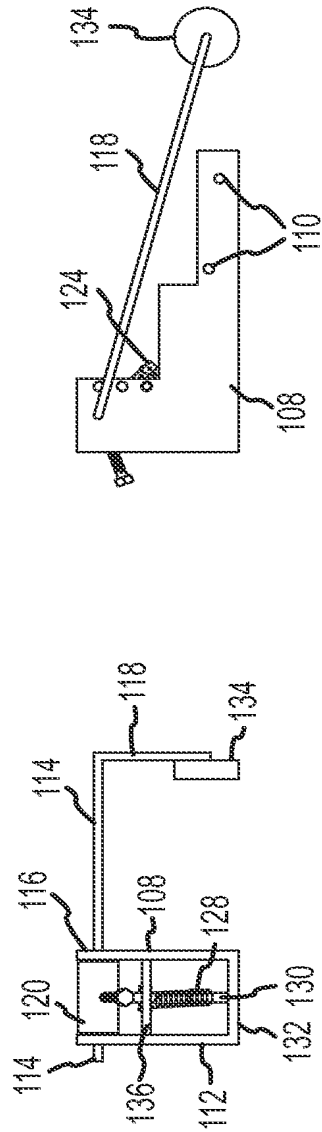


FIG. 26

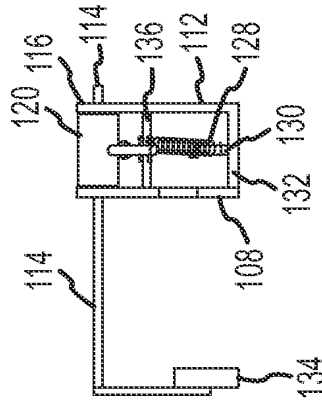


FIG. 27

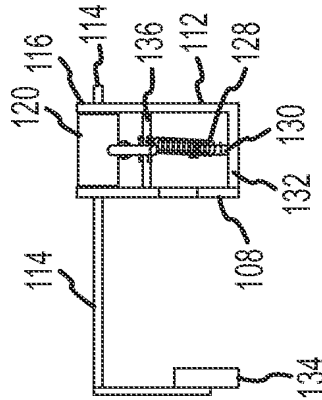


FIG. 28

# REPLACEMENT SHEET

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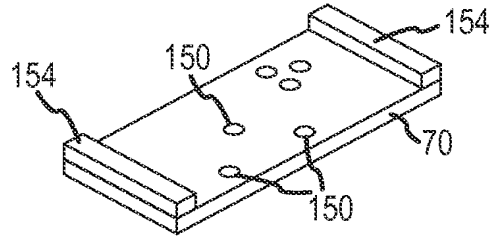


FIG. 29A

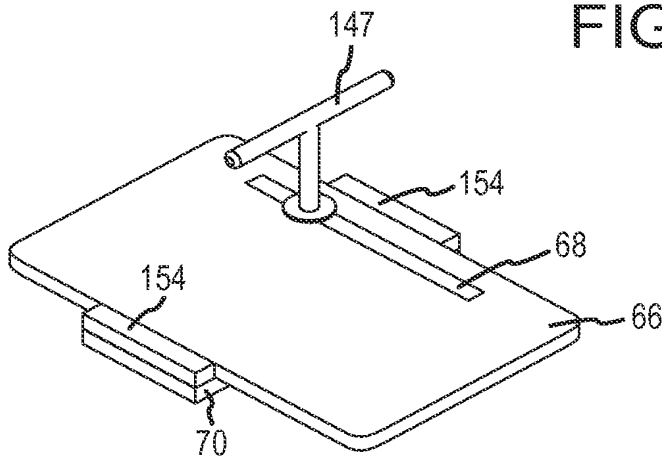


FIG. 29B

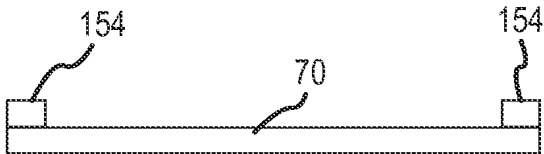


FIG. 30A

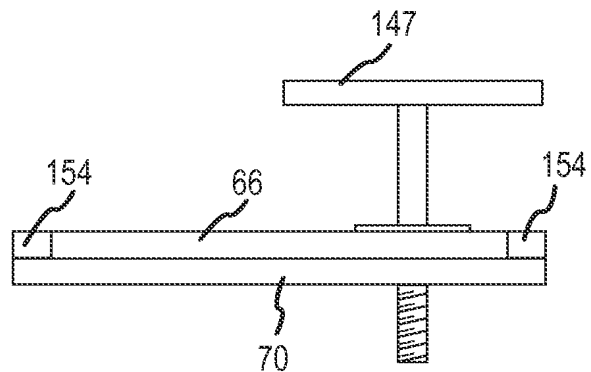


FIG. 30B

# REPLACEMENT SHEET

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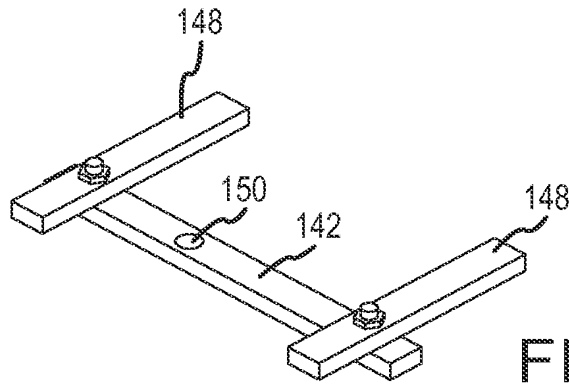


FIG. 31

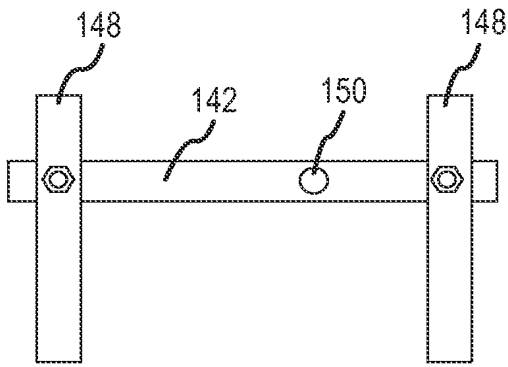


FIG. 32A

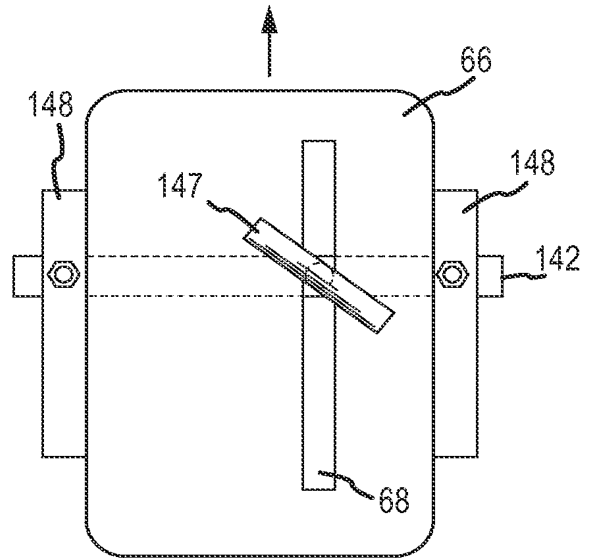


FIG. 32B

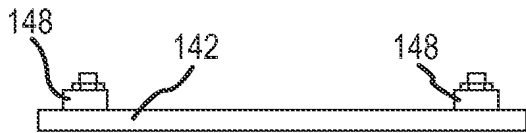


FIG. 33A

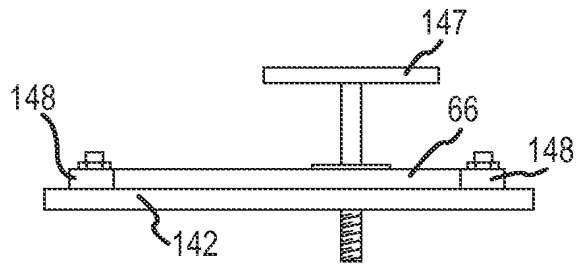
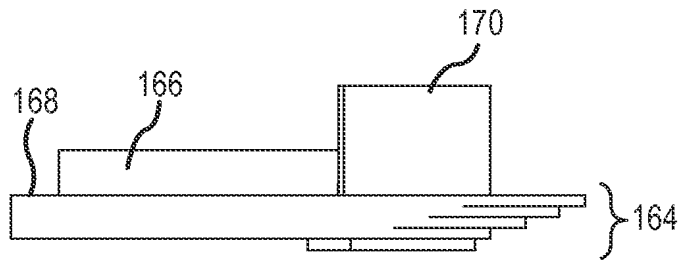
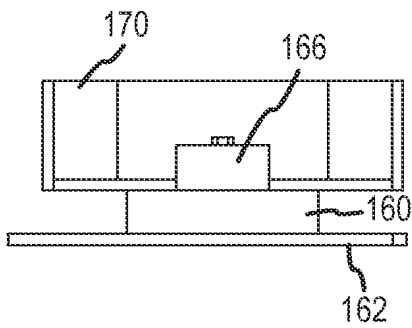
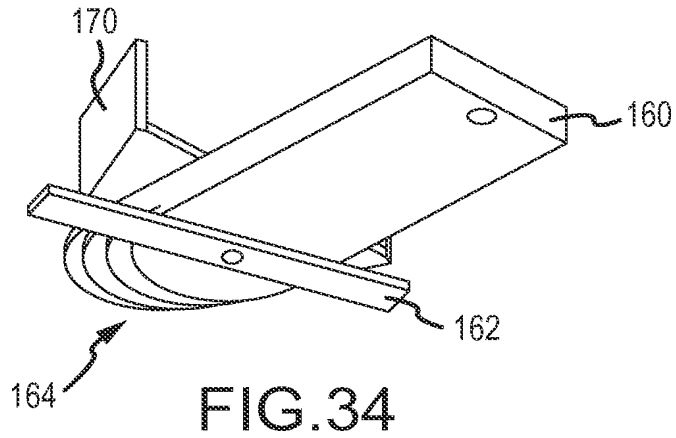


FIG. 33B

# REPLACEMENT SHEET

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REPLACEMENT SHEET

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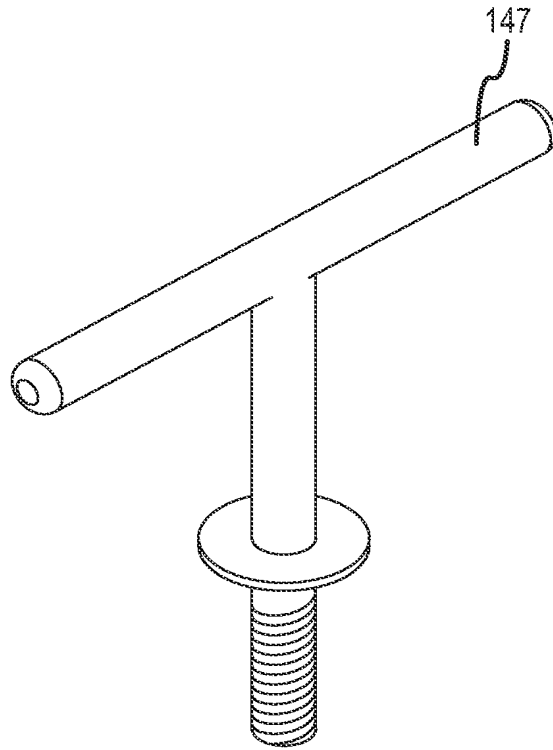


FIG.37

# REPLACEMENT SHEET

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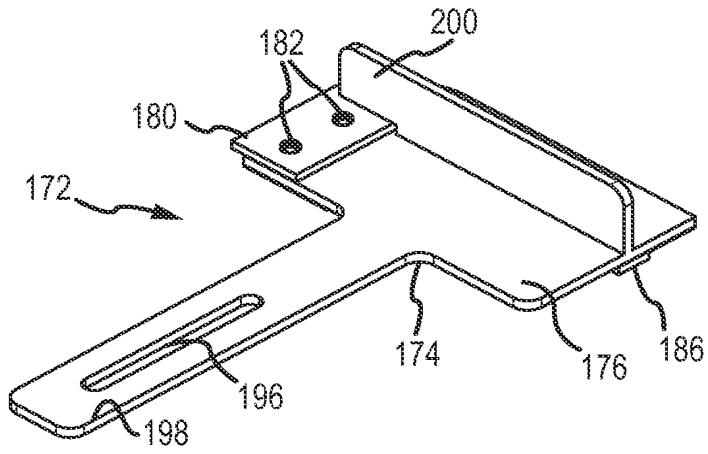


FIG. 38

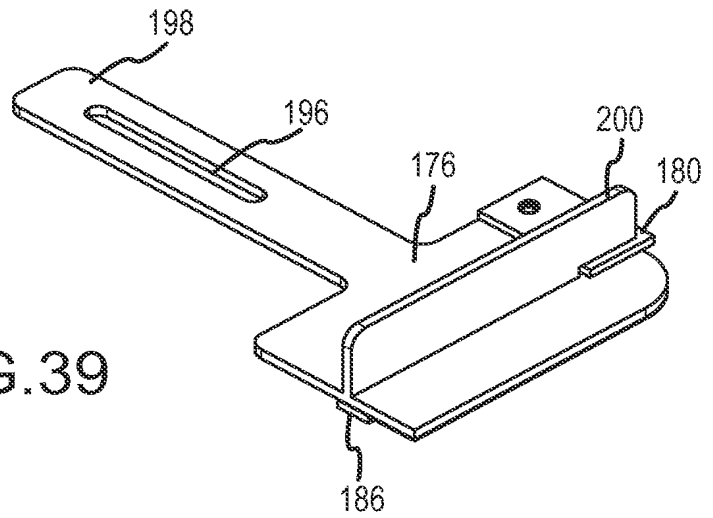


FIG. 39

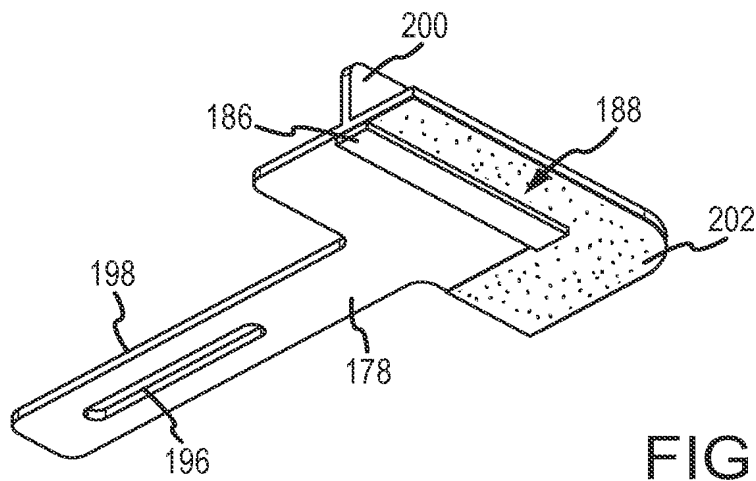


FIG. 40



# REPLACEMENT SHEET

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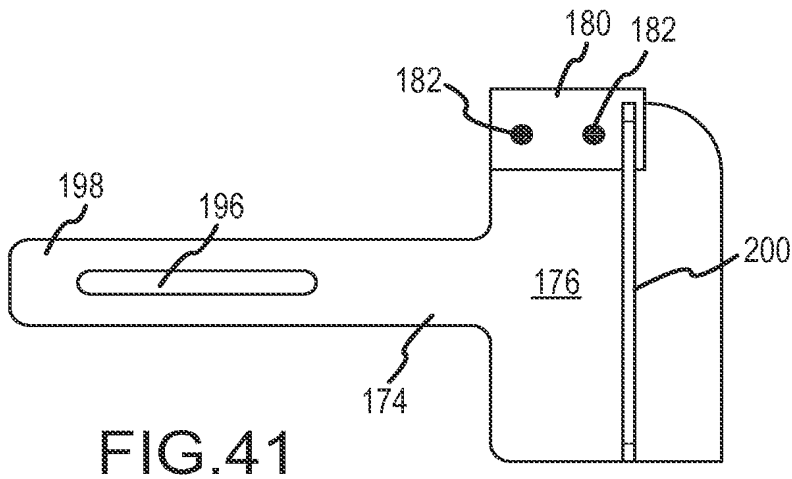


FIG. 41

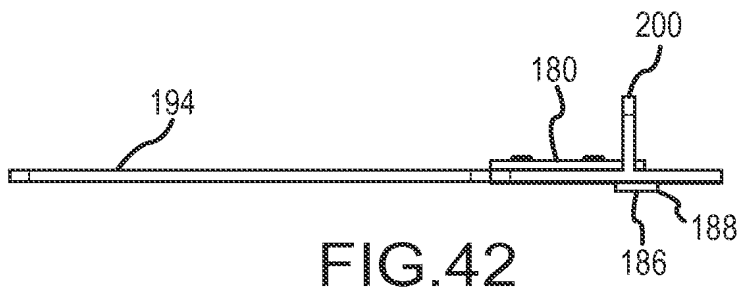


FIG. 42

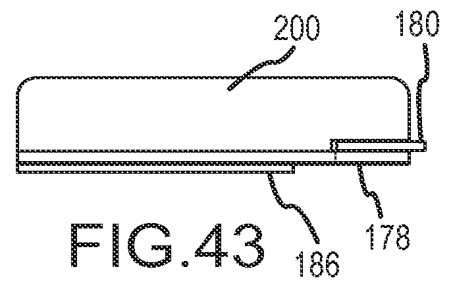


FIG. 43

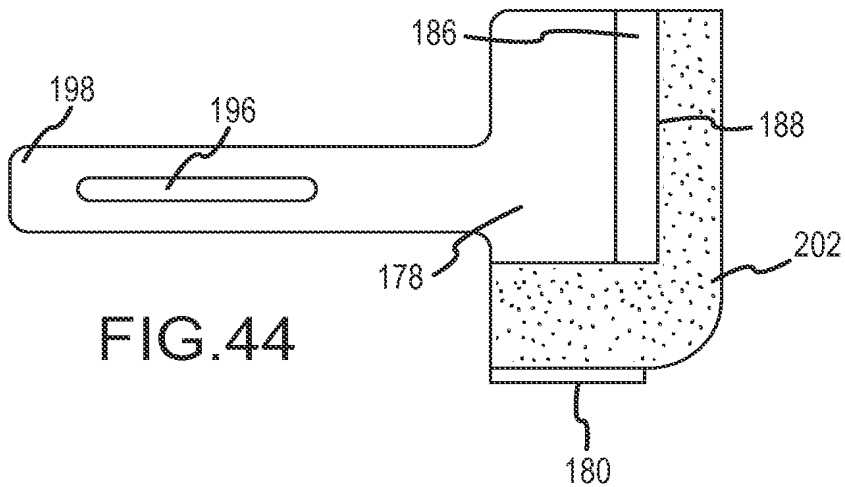


FIG. 44

# REPLACEMENT SHEET

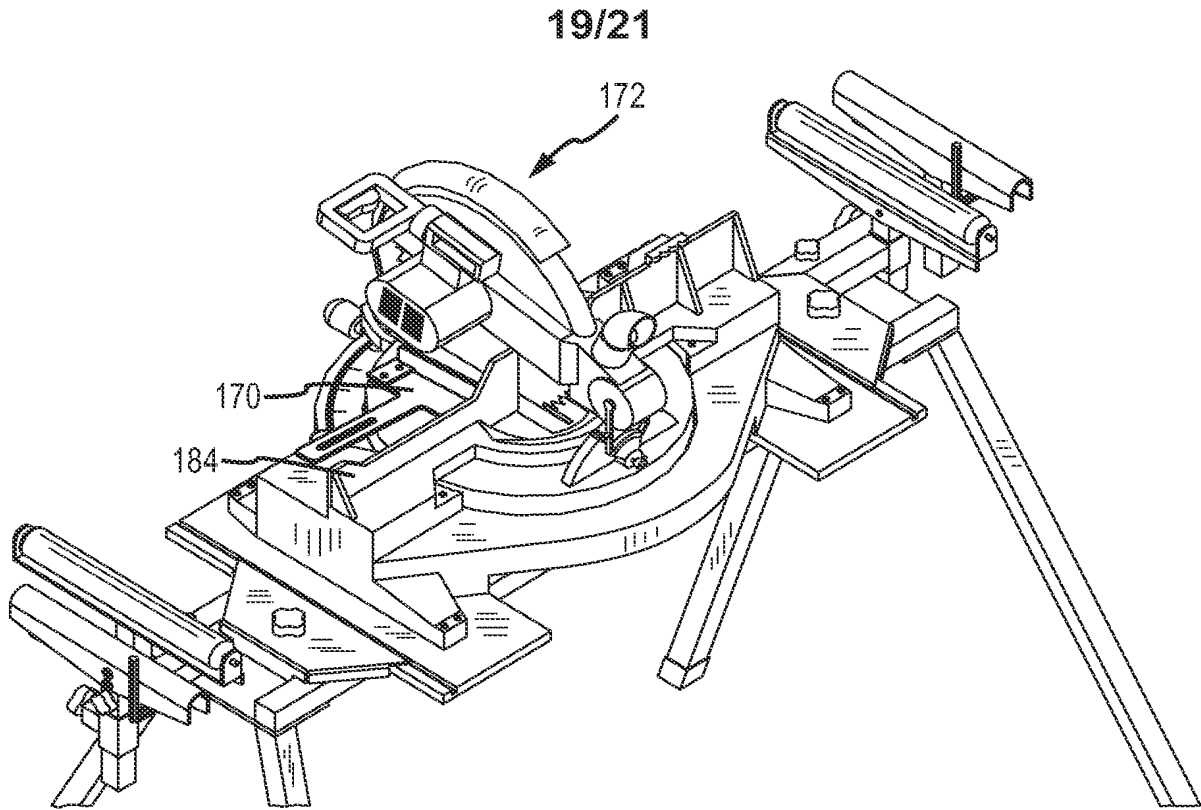


FIG.45

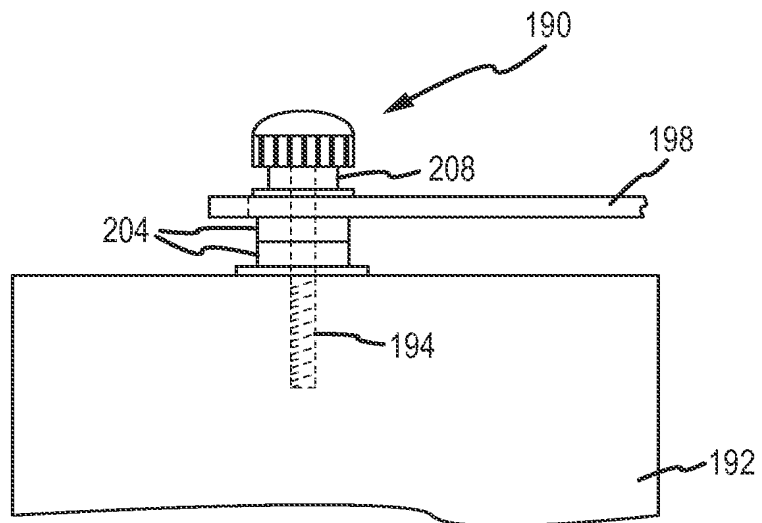


FIG.46

# REPLACEMENT SHEET

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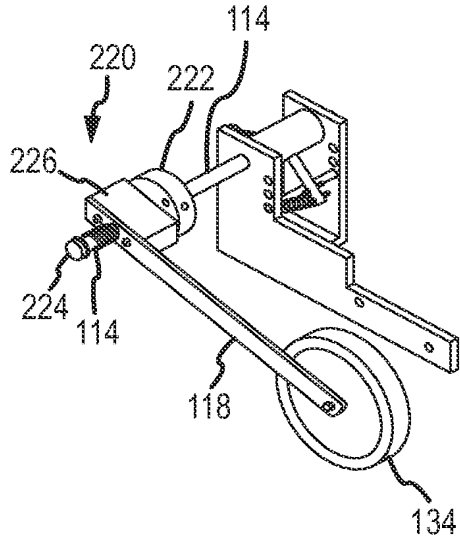


FIG. 47

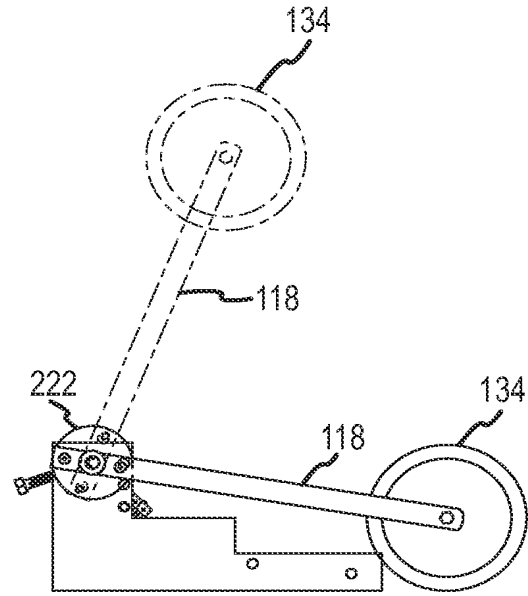


FIG. 48

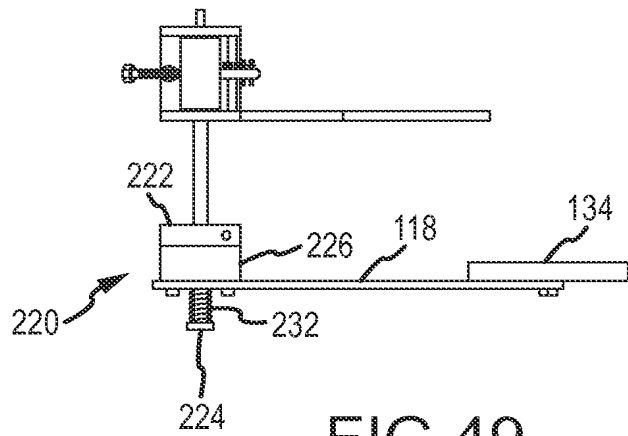


FIG. 49

# REPLACEMENT SHEET

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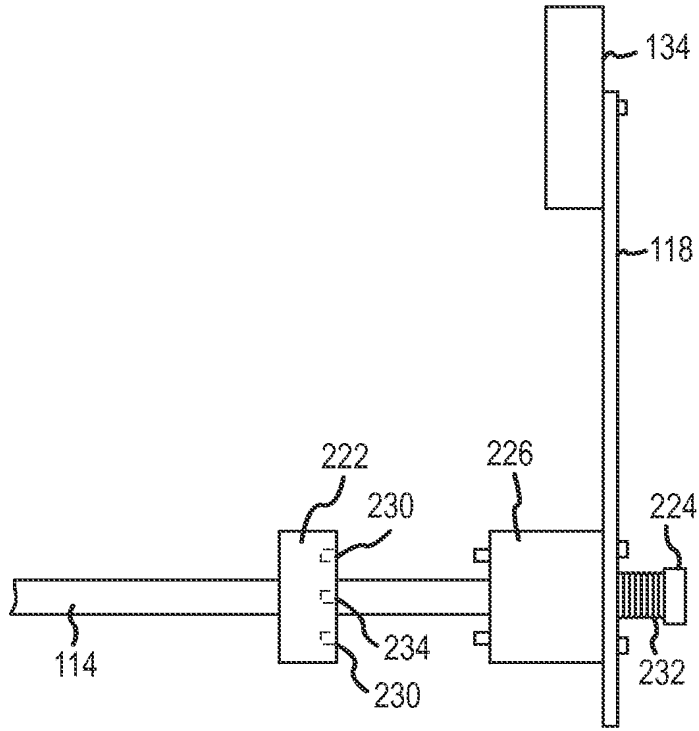


FIG. 50

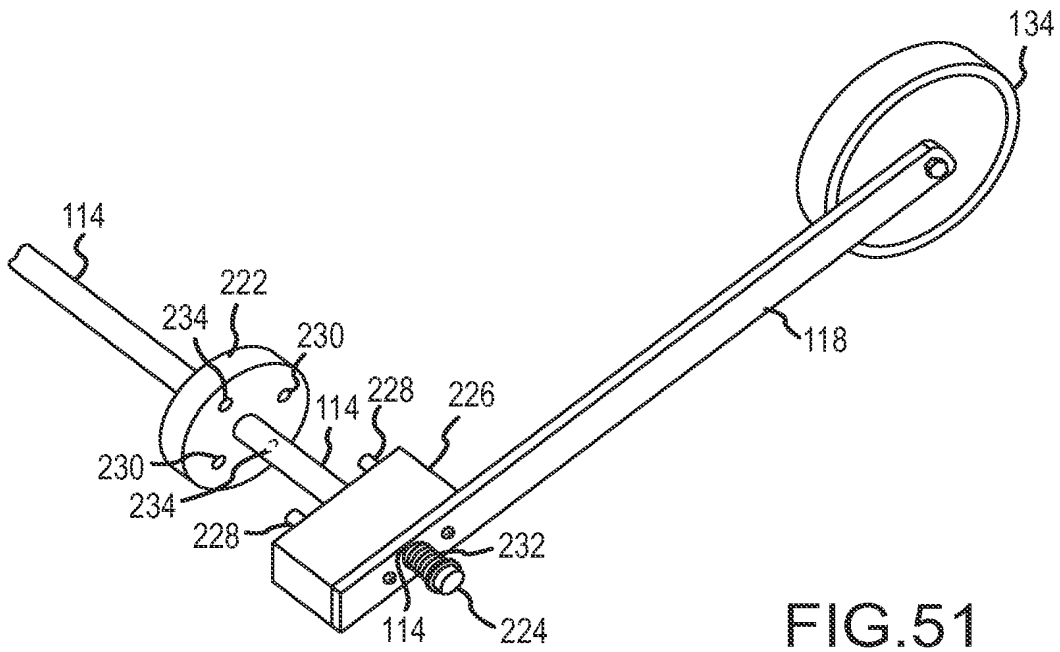


FIG. 51

**CORRECTED**

PTO/AIA/14 (12-13)  
Approved for use through 04/30/2017. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	8367-6- 6367-6-CIP
		Application Number	14/070,117
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

### Secrecy Order 37 CFR 5.2

<input type="checkbox"/> Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--

### Inventor Information:

Inventor 1 <span style="float: right;">Remove</span>					
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	WILLIAM		NICHEL		
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service					
City	PUEBLO WEST	State/Province	CO	Country of Residence	US
Mailing Address of Inventor:					
Address 1		516 MEREDITH DRIVE			
Address 2					
City	PUEBLO WEST	State/Province	CO		
Postal Code	81007	Country	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button. <span style="float: right;">Add</span>					

### Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.	
Customer Number	22442
Email Address	<span style="float: right;">Add Email Remove Email</span>

### Application Information:

Title of the Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
Attorney Docket Number	6367-6-CIP	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	21	Suggested Figure for Publication (if any)	
<b>Filing By Reference :</b>			

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	<u>6367-B-CIP</u>
		Application Number	<u>14/070,117</u>
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

**Publication Information:**

<input type="checkbox"/>	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/>	<b>Request Not to Publish.</b> I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

**Representative Information:**

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer number will be used for the Representative Information during processing.			
Please Select One: <input checked="" type="radio"/> Customer Number <input type="radio"/> US Patent Practitioner <input type="radio"/> Limited Recognition (37 CFR 11.9)			
Customer Number	22442		

**Domestic Benefit/National Stage Information:**

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the application number blank.

Prior Application Status	<u>Pending</u> <u>Expired</u>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Claims benefit of provisional	61721390	2012-11-01
Prior Application Status	<u>Expired</u>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Claims benefit of provisional	61533663	2011-09-12
Prior Application Status	<u>Expired</u>	<input type="button" value="Remove"/>	

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	<u>6367-B-CIP</u>
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Claims benefit of provisional</u>	<u>61431275</u>	<u>2011-01-10</u>
Prior Application Status	<u>Expired</u>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Claims benefit of provisional</u>	<u>61413283</u>	<u>2010-11-12</u>
Prior Application Status	<b>Abandoned</b>		<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Continuation in part of</u>	<u>13285813</u>	<u>2011-11-14</u>
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			

### Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)<sup>1</sup> the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			<input type="button" value="Remove"/>
Application Number	Country <sup>1</sup>	Filing Date (YYYY-MM-DD)	Access Code <sup>1</sup> (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			

### Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

<p>This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.</p> <p><input checked="" type="checkbox"/> NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.</p>
---

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6 CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

**Authorization to Permit Access:**

<input type="checkbox"/> Authorization to Permit Access to the Instant Application by the Participating Offices
<p>If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other Intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.</p> <p>In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.</p> <p>In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.</p>

**Applicant Information:**

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
<b>Applicant 1</b>				
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.				
<input type="button" value="Clear"/>				
<input type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117	<input type="radio"/> Joint Inventor		
<input type="radio"/> Person to whom the inventor is obligated to assign.		<input type="radio"/> Person who shows sufficient proprietary interest		
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
Name of the Deceased or Legally Incapacitated Inventor: <input type="text"/>				
If the Applicant is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix



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<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-8-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

<b>Mailing Address Information For Applicant:</b>			
Address 1			
Address 2			
City		State/Province	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			

### Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
<b>Assignee 1</b>				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
<b>Mailing Address Information For Assignee including Non-Applicant Assignee:</b>				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

**Signature:**

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.			
Signature	/TODD P. BLAKELY/		Date (YYYY-MM-DD)
			<del>2013-11-01</del> 2015-11-06
First Name	TODD P.	Last Name	BLAKELY
		Registration Number	31328
Additional Signature may be generated within this form by selecting the Add button.			

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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.

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2908. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	14070117
<b>Filing Date:</b>	01-Nov-2013
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Attorney Docket Number:</b>	6367-6-CIP

Filed as Small Entity

### Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
Pet. Delay Sub or Restore Priority-Claim	2454	1	850	850

**Patent-Appeals-and-Interference:**

**Post-Allowance-and-Post-Issuance:**

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
Request for Continued Examination	2801	1	600	600
<b>Total in USD (\$)</b>				<b>1450</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	24015022
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6-CIP
<b>Receipt Date:</b>	06-NOV-2015
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	17:10:14
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1450
RAM confirmation Number	3880
Deposit Account	191970
Authorized User	BLAKELY, TODD P.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	PETITION_FOR_DELAYED_PRIORITY_CLAIM.pdf	65124	no	2
			9f354b5e2e567c9cc4132857ec65ddb5ad5231ef		

**Warnings:**

**Information:**

2	Request for Continued Examination (RCE)	2015_11_06_RCE.pdf	1350063	no	3
			3b5b309c7e7b4cfc24a795a5ca93e262c1f40e3		

**Warnings:**

**Information:**

3		PRELIMINARY_AMENDMENT_2015_11_06.pdf	103381	yes	10
			25a069c5a7301c24e2af1c5410f026d7f8668470		

**Multipart Description/PDF files in .zip description**

Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Specification	2	2
Drawings-only black and white line drawings	3	3
Claims	4	9
Applicant Arguments/Remarks Made in an Amendment	10	10

**Warnings:**

**Information:**

4	Drawings-only black and white line drawings	2015_11_06_FIGS_1_51_REPLACEMENT_FORMAL.pdf	891125	no	21
			16ab4524b2d834b75984244f24294967e48a3751		

**Warnings:**

**Information:**

5	Application Data Sheet	2015_11_06_6367_6_CIP_ADS_CORRECTED.pdf	371814	no	7
			b8f83515fcd2358c478babaf054ab2e59ba1e467		

**Warnings:**

**Information:**

This is not an USPTO supplied ADS fillable form

6	Fee Worksheet (SB06)	fee-info.pdf	32405 <small>67ac145355e2e8f22d707c231757fef9a5914600</small>	no	2
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>	2813912
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**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.**

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**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.**



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.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>14/070,117</b>	Filing Date <b>11/01/2013</b>	<input type="checkbox"/> To be Mailed
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ENTITY:  LARGE  SMALL  MICRO

**APPLICATION AS FILED – PART I**

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

**APPLICATION AS AMENDED – PART II**

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
<b>AMENDMENT</b>	<b>11/06/2015</b>	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	* 22	Minus	** 22	= 0	X \$40 = 0
	Independent <small>(37 CFR 1.16(h))</small>	* 2	Minus	***3	= 0	X \$210 = 0
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	<b>0</b>

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
<b>AMENDMENT</b>		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE  
/SHARON HARRIS/

This collection of information is required by 37 CFR 1.16. 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. 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.*



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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/070,117	11/01/2013	WILLIAM NICHEL	6367-6-CIP

**CONFIRMATION NO. 4334**

**IMPROPER CFR REQUEST**



22442  
Sheridan Ross PC  
1560 Broadway  
Suite 1200  
Denver, CO 80202

Date Mailed: 11/05/2015

**RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**

***Continuity, Priority Claims, Petitions, and Non-Publication Requests***

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/ttran/

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	14/070,117
				Filing Date	November 1, 2013
				First Named Inventor	William Niichel
				Art Unit	3724
				Examiner Name	Ghassem Alie
Sheet	1	of	1	Attorney Docket Number	6367-6-CIP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	2522965	09/19/1950	Schaufelberger	
	2	2711020	06/21/1955	Hastings	
	3	4485711	12/04/1984	Schnell	
	4	4603612	08/05/1986	Atkins	
	5	5341711	08/30/1994	Stay, Jr. et al.	
	6	8826788	09/09/2014	Rybka	
	7	2006/0288835	12/28/2006	Gregoire	
	8	2012/0031247	02/09/2012	Wang	
	9	2013/0048149	02/28/2013	Liu	
	10	2015/0183123	07/02/2015	Niichel	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> ; Number <sup>4</sup> ; Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

NON-PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	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.
	11	"Sawing Small Pieces Safely," Popular Science, Jul 1947, Vol. 151, No. 1, page 198
	12	Official Action for U.S. Patent Application No. 14/582,893, mailed Jun. 24, 2015 (Attorney's Ref. No. 6367-9-CIP) 16 pages
	13	Final Action for U.S. Patent Application No. 14/582,893, mailed Oct. 15, 2015 (Attorney's Ref. No. 6367-9-CIP) 28 pages

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. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	23966054
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Theresa Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6-CIP
<b>Receipt Date:</b>	02-NOV-2015
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	19:30:14
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Post Allowance Communication - Incoming	Comments_on_Reasons_for_Allowance.pdf	275738 <small>7c/ea5bdadfbbb26b0a94d05cea37259eac4011</small>	no	5

### Warnings:

### Information:

2		IDS_02.pdf	104845 da44ef97f25d020686d40a8cc4f82168fd84b4eb	yes	3
<b>Multipart Description/PDF files in .zip description</b>					
		<b>Document Description</b>	<b>Start</b>	<b>End</b>	
		Transmittal Letter	1	2	
		Information Disclosure Statement (IDS) Form (SB08)	3	3	
<b>Warnings:</b>					
<b>Information:</b>					
3	Non Patent Literature	Sawing_Small_Pieces_Safely_Popular_Science.pdf	125135 7faffab93c2cee8b2df52e3eef7a12a786a49962	no	1
<b>Warnings:</b>					
<b>Information:</b>					
4	Other Reference-Patent/App/Search documents	6367-9-CIP_OA_06-24-2015.pdf	1629078 87f8e54eb9cd16d528cabac4fc8f317b5a77c	no	16
<b>Warnings:</b>					
<b>Information:</b>					
5	Other Reference-Patent/App/Search documents	6367-9-CIP_FOA_10-15-2015.pdf	3936938 53f4d82d295de542ed3457174203c37891520b20	no	28
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			6071734		
<p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>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.</b></p>					

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:

William Niichel

Serial No.: 14/070,117

Filed: November 1, 2013

Atty. File No.: 6367-6-CIP

Entitled: "SAFETY DEVICE FOR POWER  
CUTTING TOOLS"

Group Art Unit: 3724

Confirmation No.: 4334

Examiner: Ghassem Alie

*Submitted via EFS-Web*

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Dear Commissioner:

Applicant submits these Comments on Statement of Reasons for Allowance to address further the Notice of Allowability ("Notice") having a mailing date of August 7, 2015.

In the Notice, the Examiner's stated reasons for allowance were that:

The claims are allowable because prior art fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, in combination with other limitations set forth in claim 21. The prior art also fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, in combination with other limitations set forth in claim 42.

Regarding claims 21 and 42, Jukoff (2002/0029822 AI) teaches an anti-kickback device for use with a powered cutting tool 26 having a rotating cutting element for cutting a work piece, a table 12 having at least one surface 16 for supporting a work piece 24 prior during and after cutting, and a guide fence 22 having a second surface oriented perpendicular to the at least a one surface 16 of the at least one table, comprising: a. a mounting plate 46 secured to the table proximate the rotating cutting element; b. a base 58 secured to the mounting plate,

adjustably positionable relative to the mounting plate and the cutting element; c. a first bearing assembly 28 pivotally affixed to the base for applying pressure against a first surface of a work piece 24 to push the work piece against the guide fence 22, the first bearing assembly comprising an elongate bearing arm having a first portion 30 and a second portion 92 disposed at an angle (at least a zero angle) relative to the first portion, a first bearing member disposed at the end of the first portion 30 opposite the second portion and having a first bearing 32 pivot about which the first bearing rotates, the first bearing member for engaging a work piece, a first bearing arm pivot 36 disposed in the first portion 30 and about which the first bearing arm pivots relative to the base disposed, and first adjustable biasing means 88 connected between the base (the elbow member 100 of the base) and the second portion 92 whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the work piece surface; a second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first portion 130 and a second portion (defined by the elbow member) disposed at an angle relative to the first portion, a second bearing member 132 disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot 136, and second adjustable biasing means 188 whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element. See Figs. 1-7 in Jukoff. Jukoff does not explicitly teach that the second bearing assembly is affixed to the same base. However, the use of an anti-kickback device having a base which is mounted on a mounting plate and carries two different bearing assemblies is old and well known in the art such as taught by Schwarz (7,140,286).

Schwartz teaches a mounting plate 20 and a base 12 adjustably mounted of a mounting assembly. Schwarz also teaches that the base includes a first bearing assembly 21 and a second bearing assembly 77 disposed on the same base 12. See Figs. 1-3 in Schwarz. It would have been obvious to a person of ordinary skill in the art modify the base of Jukoff's anti-kickback as taught by Schwarz in order to facilitate adjustment of the second bearing assembly relative to the first bearing assembly and the fence and reduce the number of parts of the anti-kickback assembly.

However, Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to

move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, as set forth in claim 21. Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, as set forth in claim 42.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 21 and 42.

Based on the Notice, the patentability of all independent and dependent claims is assumed to be based upon the elements as set forth in such claims and that such claims meet all criteria for patentability under §101, §102, §103 and §112.

As is clear from MPEP 1302.14,

“The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth.”

While the above statement may be a stated reason for allowing the independent claims, Applicant submits that some independent and dependent claims may have a different reason for allowance and/or that some independent and dependent claims may have other reasons for allowance.

Specifically, the prior art fails to teach the following features of Claims 21 and 42:

21. An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

- a. a mounting plate configured to be secured to the table proximate the rotating cutting element and configured to permit adjustment of the position of the mounting plate relative to the cutting element;
- b. a base secured to the mounting plate, the base adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence;
- c. a first bearing assembly pivotally affixed to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing



- assembly comprising a first elongate bearing arm having a first portion and a second portion, a first bearing member disposed at the end of the first portion opposite the second portion and having a first bearing pivot about which the first bearing rotates relative to the first portion, the first bearing member for engaging a work piece, a first bearing arm pivot disposed in the first portion and about which the first bearing arm pivots relative to the base, and first adjustable biasing means connected between the base and the first elongate bearing arm whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the first surface of the work piece surface;
- d. a second bearing assembly pivotally affixed to the base for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first portion and a second portion, a second bearing member disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing pivot about which the second bearing member rotates relative to the second elongate bearing arm, a second bearing arm pivot associated with the second elongate bearing arm and about which the second elongate bearing arm pivots relative to the base, and second adjustable biasing means whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and
  - e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element.

42. An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a horizontal table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

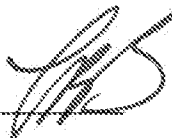
- a. a mounting plate secured to the table proximate the rotating cutting element;
- b. a base secured to the mounting plate, the base remaining substantially horizontal and being positionable relative to the mounting plate to permit the base to move toward and away from the guide fence;
- c. a first bearing assembly secured to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing assembly comprising (i) a first

- elongate bearing arm (ii) a first bearing member disposed at a distal end of the first elongate bearing arm for engaging the work piece (iii) a first bearing pivot extending substantially vertically and the first elongate bearing arm rotating substantially horizontally about said first bearing pivot (iv) a first adjustable biasing means connected between the base and the first elongate bearing arm, wherein the first bearing member applies a substantially horizontal force against a first surface of the work piece;
- d. a second bearing assembly secured to the base and offset from the first bearing assembly, the second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising (i) a rotatable shaft extending substantially horizontal (ii) a second elongate bearing arm attached to said rotatable shaft (iii) a second bearing member disposed at a distal end of said second elongate bearing arm, the second elongate bearing arm for engaging the work piece and rotating substantially vertically about said rotatable shaft, (iv) a second adjustable biasing means connected between said base and said second elongate bearing arm wherein the second bearing member applies a substantially vertical force against the second surface of the work piece and therefore in a direction substantially perpendicular to the force applied by the first bearing member.

Although the Applicant believes that no fees are due for filing these Comments on Statement of Reasons for Allowance, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:           /Todd P. Blakely/           

Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date:           11-2-15

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:	)	Group Art Unit: 3724
William Niichel	)	Confirmation No.: 4334
Serial No.: 14/070,117	)	Examiner: Ghassem Alie
Filed: November 1, 2013	)	
Atty. File No.: 6367-6-CIP	)	<u>SUPPLEMENTAL</u>
Entitled: "Safety Device for Power Cutting	)	<u>INFORMATION DISCLOSURE</u>
Tools"	)	<u>STATEMENT</u>
	)	<i>Electronically Submitted</i>

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

Dear Commissioner:

The references cited on attached Form PTO/SB08 are being called to the attention of the Examiner.

- Copies of the cited non-patent and/or foreign references are enclosed herewith.
- Copies of the cited U.S. patents and/or patent applications are enclosed herewith.
- Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).
- Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- To the best of applicants' belief, the pertinence of the foreign-language references is believed to be summarized in the attached English abstracts and/or in the figures, although applicants do not necessarily vouch for the accuracy of the translation.
- Examiner's attention is drawn to the following related applications:
  - Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Attorney Ref. No. \_\_\_\_\_)
  - Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Attorney Ref. No. \_\_\_\_\_)
- Other: \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence

of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:           /Todd P. Blakely/          

Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date:           November 2, 2015



NOTICE OF ALLOWANCE AND FEE(S) DUE

22442 7590 08/07/2015
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

Table with 2 columns: EXAMINER (ALIE, GHASSEM), ART UNIT (3724), PAPER NUMBER (4334)

DATE MAILED: 08/07/2015

Table with 5 columns: APPLICATION NO. (14/070,117), FILING DATE (11/01/2013), FIRST NAMED INVENTOR (WILLIAM NIICHEL), ATTORNEY DOCKET NO. (6367-6), CONFIRMATION NO. (4334)

TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

Table with 7 columns: APPLN. TYPE (nonprovisional), ENTITY STATUS (SMALL), ISSUE FEE DUE (\$480), PUBLICATION FEE DUE (\$0), PREV. PAID ISSUE FEE (\$0), TOTAL FEE(S) DUE (\$480), DATE DUE (11/09/2015)

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 ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.
If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.
If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".
For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

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.

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

22442 7590 08/07/2015  
**Sheridan Ross PC**  
 1560 Broadway  
 Suite 1200  
 Denver, CO 80202

**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.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NIICHEL	6367-6	4334

TITLE OF INVENTION: SAFETY DEVICE FOR POWER CUTTING TOOLS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	11/09/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALIE, GHASSEM	3724	083-448000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) The names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

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

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (<b>Please first reapply any previously paid issue fee shown above</b>)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

**NOTE:** This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
14/070,117 11/01/2013 WILLIAM NIICHEL 6367-6 4334

22442 7590
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

08/07/2015

EXAMINER

ALIE, GHASSEM

ART UNIT PAPER NUMBER

3724

DATE MAILED: 08/07/2015

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

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

## OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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. 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, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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.

### Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



<b>Notice of Allowability</b>	<b>Application No.</b> 14/070,117	<b>Applicant(s)</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	<b>AIA (First Inventor to File) Status</b> Yes

**-- 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 07/22/15.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2.  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
3.  The allowed claim(s) is/are 21-42. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/oph/index.jsp](http://www.uspto.gov/patents/init_events/oph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- 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.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
 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).**
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 7. <input type="checkbox"/> Other _____.   |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____.                     |  |

/GHASSEM ALIE/  
Primary Examiner, Art Unit 3724

Art Unit: 3724

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

***Reasons for Allowance***

1. The following is an examiner's statement of reasons for allowance: The claims are allowable because prior art fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, in combination with other limitations set forth in claim 21. The prior art also fails to teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, in combination with other limitations set forth in claim 42.

Regarding claims 21 and 42, Jukoff (2002/0029822 A1) teaches an anti-kickback device for use with a powered cutting tool 26 having a rotating cutting element for cutting a work piece, a table 12 having at least one surface 16 for supporting a work piece 24 prior during and after cutting, and a guide fence 22 having a second surface oriented perpendicular to the at least a one surface 16 of the at least one table, comprising: a. a mounting plate 46 secured to the table proximate the rotating cutting element; b. a base 58 secured to the mounting plate, adjustably positionable relative to the mounting plate and the cutting element; c. a first bearing assembly 28 pivotally affixed to the base for applying pressure against a first surface of a work piece 24 to push the work piece against the guide fence 22, the first bearing assembly comprising an elongate bearing arm having a first portion 30 and a second portion 92 disposed at an angle (at least a zero angle) relative to the first portion, a

Art Unit: 3724

first bearing member disposed at the end of the first portion 30 opposite the second portion and having a first bearing 32 pivot about which the first bearing rotates, the first bearing member for engaging a work piece, a first bearing arm pivot 36 disposed in the first portion 30 and about which the first bearing arm pivots relative to the base disposed, and first adjustable biasing means 88 connected between the base (the elbow member 100 of the base) and the second portion 92 whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the work piece surface; a second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first portion 130 and a second portion (defined by the elbow member) disposed at an angle relative to the first portion, a second bearing member 132 disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot 136, and second adjustable biasing means 188 whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element. See Figs. 1-7 in Jukoff. Jukoff does not explicitly teach that the second bearing assembly is affixed to the same base. However, the use of an anti-kickback device having a base which is mounted on a mounting plate and carries two different bearing assemblies is old and well known in the art such as taught by Schwarz (7,140,286).

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Schwartz teaches a mounting plate 20 and a base 12 adjustably mounted of a mounting assembly. Schwarz also teaches that the base includes a first bearing assembly 21 and a second bearing assembly 77 disposed on the same base 12. See Figs. 1-3 in Schwarz. It would have been obvious to a person of ordinary skill in the art modify the base of Jukoff's anti-kickback as taught by Schwarz in order to facilitated adjustment of the second bearing assembly relative to the first bearing assembly and the fence and reduce the number of parts of the anti-kickback assembly.

However, Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence; and a second bearing arm pivot associated with the second elongated bearing arm and about which the second elongated bearing arm pivots relative to the base, as set forth in claim 21. Jukoff in view of Schwarz does not teach that the base is adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence, as set forth in claim 42.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 21 and 42.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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*Conclusion*

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Landrum can be reached on (571) 272-5567. 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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ghassem Alie/

Primary Examiner, Art Unit 3724

August 3, 2015

<b>Search Notes</b>  	<b>Application/Control No.</b>  14070117	<b>Applicant(s)/Patent Under Reexamination</b>  NIICHEL, WILLIAM
	<b>Examiner</b>  GHASSEM ALIE	<b>Art Unit</b>  3724

CPC- SEARCHED		
Symbol	Date	Examiner
B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D59/00	1/20/15	GA
Updated	07/22/15	GA


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
83	477,471,472,477.2,582,574,446,451,448,450	1/20/15	GA
30	375,376.377.378	1/20/15	GA
29	401.1	1/20/15	GA
144	253.6	1/20/15	GA
	Updated	07/22/15	GA

SEARCH NOTES		
Search Notes	Date	Examiner
EAST, Inventor, and Text Search	01/20/15	GA
Updated	07/22/15	GA

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
83	448,450	07/22/15	GA
29	401.1	07/22/15	GA


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<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	

CPC						
Symbol					Type	Version
B27G		19		02	F	2013-01-01
B23D		59		00	I	2013-01-01
B26D		7		22	I	2013-01-01
Y10T		29		49716	A	2015-01-15
Y10T		83		747	A	2015-04-01
Y10T		83		744	A	2015-04-01
B27B		25		10	I	2013-01-01

CPC Combination Sets							
Symbol				Type	Set	Ranking	Version


NONE		<b>Total Claims Allowed:</b>	
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(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/GHASSEM ALIE/ Primary Examiner. Art Unit 3724	08/03/15	1	17
(Primary Examiner)	(Date)		

<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION														
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED									
83		448				B	2	7	G	19 / 02 (2006.0)										
<b>CROSS REFERENCE(S)</b>						B	2	6	D	7 / 22 (2006.0)										
						B	2	3	D	59 / 00 (2006.01.01)										
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																			
83	450																			
29	401.1																			

NONE		<b>Total Claims Allowed:</b>	
		22	
(Assistant Examiner) /GHASSEM ALIE/ Primary Examiner. Art Unit 3724 (Primary Examiner)	(Date) 08/03/15 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 17



<b>Issue Classification</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

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3	23	19	39																		
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16	36																				

NONE		<b>Total Claims Allowed:</b>	
		22	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/GHASSEM ALIE/ Primary Examiner. Art Unit 3724	08/03/15	1	17
(Primary Examiner)	(Date)		

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 15:34
S2	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
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S4	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S5	120	144/253.6.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:35
S6	0	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
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S17	4784	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 11:56
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S26	29	"0092918"	USPAT; USOCR	OR	ON	2015/08/03 15:32
S27	7	"1511916"	USPAT; USOCR	OR	ON	2015/08/03 15:33
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S29	1804	"30"/\$.ccls. and blade with slid\$4 with pivot\$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:37
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S32	2215	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/08/03 15:45
S33	4	S31 and S32	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2015/08/03 15:45

**EAST Search History (Interference)**

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S35	660	29/401.1.ccls.	USPAT; UPAD	OR	ON	2015/08/03 15:45
S36	860	S34 or S35	USPAT; UPAD	OR	ON	2015/08/03 15:45

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<b>Index of Claims</b> 	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>


-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

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16	36		✓	=					

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
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18	38			=					
19	39			=					
20	40			=					
21	41			=					
22	42			=					

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:	)	Group Art Unit: 3724
NIICHEL	)	Confirmation No.: 4334
Serial No.: 14/070,117	)	Examiner: ALIE, GHASSEM
Filed: November 1, 2013	)	
Atty. File No.: 6367-6-CIP	)	<u>AMENDMENT AND RESPONSE TO</u>
Entitled: "SAFETY DEVICE FOR	)	<u>JANUARY 26, 2015 OFFICE ACTION</u>
POWER CUTTING TOOLS"	)	
	)	Electronically Submitted

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant submits this Amendment and Response to the Office Action having a mailing date of January 26, 2015. The Commissioner is authorized to charge Deposit Account No. 19-1970 the amount of \$700 for a three-month extension of time. The Commissioner is authorized to charge Deposit Account No. 19-1970 for the additional dependent claims presented herein.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 8 of this paper.



## AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings of claims in the application:

What is claimed is:

1-20. (Cancelled)

21. (Currently Amended) An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

- a. ~~[[A]] a mounting plate configured to be secured to the table proximate the rotating cutting element and configured to permit adjustment of the position of the mounting plate relative to the cutting element;~~
- b. ~~[[A]] a base secured to the mounting plate, the base adjustably positionable relative to the mounting plate and the cutting element to permit the base to move toward and away from the guide fence;~~
- c. ~~[[A]] a first bearing assembly pivotally affixed to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing assembly comprising a[[n]] first elongate bearing arm having a first portion and a second portion disposed at an angle relative to the first portion, a first bearing member disposed at the end of the first portion opposite the second portion and having a first bearing pivot about which the first bearing rotates relative to the first portion, the first bearing member for engaging a work piece, a first bearing arm pivot disposed in the first portion and about which the first bearing arm pivots relative to the base disposed, and first adjustable biasing means connected between the base and the first elongate bearing arm second portion whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the first surface of the work piece surface;~~
- d. ~~[[A]] a second bearing assembly pivotally affixed to the base for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence,~~

the second bearing assembly comprising a second elongate bearing arm having a first portion and a second portion ~~disposed at an angle relative to the first portion~~, a second bearing member disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot about which the second bearing member rotates relative to the second elongate bearing arm, a second bearing arm pivot associated with the second elongate bearing arm and about which the second elongate bearing arm pivots relative to the base, and second adjustable biasing means whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and

- e. ~~[[T]]~~ the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element.

22. (Currently Amended) The anti-kickback device of Claim 21, further comprising a third bearing assembly pivotally affixed to the base for applying pressure against the first surface of the work piece to push the work piece against the guide fence, the third bearing assembly comprising a ~~[[n]]~~ third elongate bearing arm having a first portion and a second portion disposed at an angle relative to the first portion, a third bearing member disposed at the end of the first portion opposite the second portion for engaging a work piece and having a third bearing member pivot about which the third bearing pivots relative to the first portion, a third bearing arm pivot point for associated with the third bearing arm disposed in the first portion and about which the third bearing arm pivots relative to the base, and third adjustable biasing means connected between the base and the third bearing arm second portion whereby the third bearing member applies a third force against a surface of the work piece at an acute angle relative to the surface.

23. (Currently Amended) The anti-kickback device of Claim 21, wherein the first and second bearing arms are removable from the base.

24. (Previously Presented) The anti-kickback device of Claim 21, wherein a channel is formed in the at least one surface, and the mounting plate comprises a member that seats within the channel and is repositionable within the channel.

25. (Currently Amended) The anti-kickback device of Claim 21, wherein the base comprises a linear slot oriented parallel to the axis of rotation of the cutting element and further comprising a lock member positioned in the slot to ~~lock~~secure the position of the base at multiple positions relative to the mounting plate~~cutting element~~.

26. (Previously Presented) The anti-kickback device of Claim 21, wherein the powered cutting tool has a forward end and a rearward end, wherein the forward end is defined as the end from which the work piece is introduced to the cutting element and the rearward end is defined as the end towards which the work piece exits the cutting element, and wherein the first bearing arm pivot is positioned forward of the first bearing member pivot.

27. (Previously Presented) The anti-kickback device of Claim 21, wherein the first portion and second portion of the first bearing arm are substantially co-planar.

28. (Previously Presented) The anti-kickback device of Claim 22, wherein the first portion and second portion of the first bearing arm and the first portion and second portion of the third bearing arm are substantially co-planar.

29. (Previously Presented) The anti-kickback device of Claim 21, further comprising multiple connection points disposed on the second portion of the first bearing arm for interconnection with the first adjustable biasing means, wherein each connection point causes the first adjustable biasing means to apply a different force to the first bearing member.

30. (Previously Presented) The anti-kickback device of Claim 22, further comprising multiple connection points disposed on the second portion of the third bearing arm for interconnection with the third adjustable biasing means, wherein each connection point causes the third adjustable biasing means to apply a different force to the third bearing member.

31. (Previously Presented) The anti-kickback device of Claim 21, wherein the first force applied by the first bearing member has a first component force that is applied perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

32. (Previously Presented) The anti-kickback device of Claim 22, wherein the third force applied by the third bearing member has a first component force that is applied perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

33. (Currently Amended) The anti-kickback device of Claim 21, wherein the powered cutting tool is at least ~~three~~ one of a table saw, jointer, router, and shaper.

34. (Previously Presented) The anti-kickback device of Claim 21, wherein the first surface and second surface are not parallel.

35. (Previously Presented) The anti-kickback device of Claim 21, wherein the first direction is vertical and the second direction is horizontal.

36. (Currently Amended) The anti-kickback device of Claim 21, wherein the first bearing means and the first biasing assembly and the second bearing assembly are positioned on the opposite side of the cutting element from the guide fence.

37. (Previously Presented) The anti-kickback device of Claim 21, further comprising a stop member associated with the body to define one limit of the rotational position of the first bearing arm.

Please add the following new claims:

38. (New) The anti-kickback device of Claim 21, further comprising the first portion and second portion of the first elongate bearing arm are oriented in a non-parallel relationship.

39. (New) The anti-kickback device of Claim 21, wherein both the first portion and second portion of the first elongate bearing arm are adapted to connect to the first adjustable biasing means.

40. (New) The anti-kickback device of Claim 21, wherein both the first portion and second portion of the third elongate bearing arm are adapted to connect to the third adjustable biasing means.

41. (New) The anti-kickback device of Claim 22, wherein the second bearing member is positioned relative to the first and third bearing members to engage a work piece between the locations at which the first and third bearing members engage the same work piece.

42. (New) An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a horizontal table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

- a. a mounting plate secured to the table proximate the rotating cutting element;
- b. a base secured to the mounting plate, the base remaining substantially horizontal and being positionable relative to the mounting plate to permit the base to move toward and away from the guide fence;
- c. a first bearing assembly secured to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing assembly comprising (i) a first elongate bearing arm (ii) a first bearing member disposed at a distal end of the first elongate bearing arm for engaging the work piece (iii) a first bearing pivot extending substantially vertically and the first elongate bearing arm rotating substantially horizontally about said first bearing pivot (iv) a first adjustable biasing means connected between the base and the first elongate bearing arm, wherein the first bearing member applies a substantially horizontal force against a first surface of the work piece;
- d. a second bearing assembly secured to the base and offset from the first bearing assembly, the second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising (i) a rotatable shaft extending substantially horizontal

(ii) a second elongate bearing arm attached to said rotatable shaft (iii) a second bearing member disposed at a distal end of said second elongate bearing arm, the second elongate bearing arm for engaging the work piece and rotating substantially vertically about said rotatable shaft, (iv) a second adjustable biasing means connected between said base and said second elongate bearing arm wherein the second bearing member applies a substantially vertical force against the second surface of the work piece and therefore in a direction substantially perpendicular to the force applied by the first bearing member.

## REMARKS

Applicant submits this Amendment and Response to the Office Action having a notification date of January 26, 2015.

Claims 21-37 are pending in the application. New Claims 38-42 have been added. Claims 21, 23-27 and 33-37 are rejected under 35 U.S.C. §103(a) as unpatentable over Jukoff (2002/0029822A1) in view of Schwartz (7,140,286). Claims 22, 28 and 32 are rejected under 35 U.S.C. §103(a) as unpatentable over Jukoff in view of either Lin (7,730,914) or Friend (2006/0201297). Claim 29 is rejected under 35 U.S.C. §103(a) as unpatentable over Jukoff in view of Schwartz in further view of Villinger (7,341,081). Claim 30 is rejected under 35 U.S.C. §103(a) as unpatentable over Jukoff in view of either Schwartz, Lin or Friend, in further view of Villinger.

## RESTRICTION

Regarding paragraph 1 of the Office Action – the election of a species, Applicant elects the hold down apparatus as shown in Figs. 17-22B. Applicant submits the embodiment of Fig. 18A is a further refinement of the embodiment of Fig. 18 and that these embodiments should be examined together.

## CLAIM OBJECTIONS

Regarding paragraph 2 of the Office Action, Claims 21 and 36 have been amended to address the objections raised by the Examiner. Applicant believes these objections are now overcome.

## CLAIM REJECTIONS

In paragraph 4 of the Office Action, the Examiner rejects Claims 21, 23-27, 31 and 33-37 as unpatentable over Jukoff in view of Schwartz. Applicant respectfully disagrees.

As a first matter, Jukoff is deficient in numerous ways. More specifically, as amended, Claim 21 recites *a base secured to the mounting plate, the base adjustably positionable relative to the mounting plate to permit the base to move toward and away from the guide fence*. In Jukoff, what is identified as the base (element 56) is not repositionable relative to the mounting plate (element 46) to permit the base to move toward and away from the guide fence. The distinction is relevant because, in the apparatus of Claim 21, the first and second bearing

assemblies are affixed to the base and are simultaneously adjustable relative to a work piece and the saw blade in one step. Schwartz does not remedy this deficiency. In the apparatus of Schwartz the base (element 14) is not adjustable relative to the mounting plate (element 20) to permit the base to move toward or away from the guide fence.

Claim 21 further recites *a first bearing member disposed at the end of the first portion opposite the second portion (of the first elongate bearing arm) and having a first bearing pivot about which the first bearing rotates relative to the first portion and a second bearing member disposed at the distal end of the first portion (of the second elongate bearing arm) for engaging the work piece, the second bearing member having a second bearing member pivot about which the second bearing member rotates relative to the second elongate bearing arm.* More specifically, the apparatus of Claim 21 includes a bearing at the end of each of the first and second elongate bearing arms that rotates about a bearing pivot relative to the first portion of each of the elongate bearing arms. The bearing pivot is distinct from the bearing arm pivot. At most, Jukoff discloses bearing arm pivots 36 and 136, but does not disclose bearing pivots nor does it disclose a bearing member that pivots about the first portion of an elongate bearing arm relative to the first portion. Rather, Jukoff discloses bearing surfaces (34 and 134) that pivot about the bearing arm pivots (36 and 136). Schwartz cannot remedy the absence of these elements because Schwartz does not disclose these elements either. Further still, Jukoff does not disclose *a second elongate bearing arm having a first portion and a second portion and a second bearing arm pivot associated with the second elongate bearing arm and about which the second elongate bearing arm pivots relative to the base.* In particular, the purported second bearing arm of Jukoff is hold down member 128, the first portion is main body 130 and the second portion is the elbow anchor that affixes the main body to the guide block 183. The elbow anchor does not move. It is fixed to the guide block. As a result, it does not and cannot pivot as part of the second elongate bearing arm about a second bearing arm pivot. Schwartz does not remedy this deficiency either.

In addition to the foregoing deficiencies, the Examiner also states that it would have been obvious to a person of ordinary skill in the art to modify the base of Jukoff's anti-kickback as taught by Schwartz in order to facilitate adjustment of the second bearing assembly relative to the first bearing assembly and the fence. Applicant disagrees. Schwartz utilizes an elongated riser block 30 affixed to the top surface 13 of the lower feather board 12 to support a slider arm 35 in a complimentary channel 32. To modify the base 58 of Jukoff as suggested, the riser block



30 of Schwartz would need to be affixed to the top surface of the base 58. But the combination would result in an unworkable device. Either the presence of the horizontal hold down device 28 and main body 30 of Jukoff (the first bearing member) would block the ability to affix the Schwartz riser 30 to the upper surface of the Jukoff base 58 or, alternatively, affixing the Schwartz riser 30 to the Jukoff base 58 would require removal of the horizontal hold down device 28 and main body 30. In other words, the suggested combination cannot physically be made without substantially altering the structural components of either or both Jukoff and Schwartz. There is insufficient physical space on the top surface of the Jukoff base 58 to position both the horizontal hold down device 28 and main body 30 of Jukoff and the Schwartz riser 30. Alternatively, if it is the Examiner's suggestion that the vertical adjustment device 138 and lengthwise adjustment device 140 of Jukoff, which control the position of the vertical hold down device 130, could be repositioned and affixed to the base 58 of Jukoff, Applicant respectfully disagrees. To make this combination, the lengthwise adjustment device 140 of Schwartz would need to be affixed to the base 58 of Jukoff. Such a combination cannot occur without removing the horizontal adjustment device 28 and main body 30 of Jukoff from the base 58. The position of the main body 30 would directly interfere with the position required by the lengthwise adjustment device 140. Again, the proposed combination would not work without significant redesign and/or reconfiguration of the involved components. (MPEP §2145, the claimed combination cannot change the principle of operation of the primary reference or render the reference inoperable for its intended purpose.) Accordingly, for at least the foregoing reasons, a person of ordinary skill in the art would not combine Jukoff and Schwartz, and any attempt to combine the structures of these two references would yield an unworkable result. Therefore, Claim 21 is allowable.

Moreover, because independent Claim 21 is patentable, dependent Claims 22-41 are patentable.

Claim 26 recites, among other limitations, *wherein the first bearing arm pivot is positioned forward of the first bearing member pivot*. As noted above in connection with Claim 21, Jukoff does not have both a bearing arm pivot and a bearing member pivot. Jukoff discloses a bearing arm pivot 36, but does not disclose a bearing member pivot. This is because Jukoff utilizes a bearing surface rather than a bearing member that rotates about a bearing pivot. Lacking a rotating bearing member disposed at one end of the first member of the first bearing arm, there is no reason for Jukoff to disclose a bearing member pivot. Further, as Schwartz is a

feather board, it does not utilize a bearing pivot. Accordingly, Jukoff alone or in combination with Schwartz does not render Claim 26 unpatentable.

Claims 29 and 30 are rejected based upon the combination of Jukoff, Schwartz and Villinger. More specifically, the Examiner asserts Villinger shows *multiple connection points disposed on the second portion of the first bearing arm for interconnection with the first adjustable biasing means* and *multiple connection points disposed on the second portion of the third bearing arm for interconnection with the third adjustable biasing means*. Applicant respectfully disagrees. Villinger does disclose multiple connection points 20b as part of base plate 4, but these connection points are not for purposes of applying different forces to the respective bearing arms as recited in Claims 29 and 30. Instead, In Villinger a single aperture 20b is selected for interconnection to the rod 9 to maintain perpendicularity of rod 9 with respect to the base 4 to minimize distortion of the spring 32. (Villinger, Col. 7, lines 31-34.) Thus, the multiple apertures are not for selective adjustment of the force applied by the spring 32 and, contrary to the recited purpose set forth in Claims 29 and 30, the rod 9 and spring 32 of Villinger are not intended to change position once installed. Therefore, Villinger teaches away from the invention of Claims 29 and 30. Further still, Claims 29 and 30 recite that the multiple connection points are disposed on the second portion of the first and third bearing arms. In Villinger, the connection points 20b are not located on the bearing arm. If they were located on the bearing arm, the biasing member would not function as the opposite end of the rod 9 is also connected to the bearing arm 3. If both ends of the biasing means were connected to the same bearing arm the biasing member would not provide any biasing function. In Villinger, the base plate 4 is part of the mounting plate that attaches the jig 1 to the table. Accordingly, Villinger does not disclose multiple connection points for the adjustable biasing means located on the second portion of a biasing arm. Further still, Jukoff utilizes an adjustable biasing means with fixed end point connections. Therefore, the proposed combination of Jukoff, Schwartz and Villinger do not render Claims 29 and 30 unpatentable.

Regarding new Claim 38, Jukoff does not disclose a first elongate bearing arm having first and second portions oriented in a non-parallel relationship. Rather, the main body 30 and eyelet 92 are oriented parallel to each other. Support for this claim is found at least in Fig. 18 and associated text in the specification.

Regarding Claims 39 and 40, neither Jukoff nor Schwartz nor the other prior art of record disclosed a bearing arm having first and second portions and where both the first and second

portions are adapted to connect to the adjustable biasing means. Jukoff and Villinger both disclose a bearing arm with a single point of connection on the second and first portions of the bearing arm, respectively. Support for these claims is found at least in Figs. 17, 18 and 18A and associated text in the specification.

Regarding Claim 41, none of the prior art of record disclose a bearing arm with a bearing member that applies a downward or vertical force to a work piece where the bearing arm is oriented between two other bearing arms that apply a horizontal force to the work piece. Support for this claim is found at least in Fig. 18A and associated text in the Specification.

Regarding Claim 42, among other things, and like independent Claim 21, neither Jukoff nor Schwartz discloses a base secured to a mounting plate and movable toward and away from the guide fence. Also, as detailed above, with respect to Claim 21, Jukoff is too complicated a structure to be modified and configured according to the feather board device of Schwartz. A person of ordinary skill in the art would not modify Jukoff based upon Schwartz and arrive at the apparatus of Claim 22. The mechanics of the two devices are simply not compatible to make the modifications suggested by the Examiner in connection with Claim 21. Since new Claim 42 recites some of the same elements as Claim 21, Claim 42 is allowable for the same reasons.

Applicant believes that the claims are in condition for allowance and respectfully requests the same. If it would be helpful, the Examiner is encouraged to call and discuss this case with the undersigned.

Respectfully submitted,  
SHERIDAN ROSS P.C.

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Date: July 22, 2015

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.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 6367-6-CIP
Application Number 14/070,117	Filed November 1, 2013	
For <b>SAFTEY DEVICE FOR POWER CUTTING TOOLS</b>		
Art Unit 3724	Examiner ALIE	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	Micro Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ <b>700</b>
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____

Applicant asserts small entity status. See 37 CFR 1.27.

Applicant certifies micro entity status. See 37 CFR 1.29.  
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to  
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I am the

applicant.

attorney or agent of record. Registration number 31328

attorney or agent acting under 37 CFR 1.34. Registration number \_\_\_\_\_

/TODD P. BLAKELY/  
Signature

2015-07-22  
Date

TODD P. BLAKELY  
Typed or printed name

303-863-9700  
Telephone Number

**NOTE:** This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below\*.

\* Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). 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 6 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: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	14070117
<b>Filing Date:</b>	01-Nov-2013
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Filer:</b>	Todd Parker Blakely/Toni Cruz
<b>Attorney Docket Number:</b>	6367-6

Filed as Small Entity

### Filing Fees for Utility under 35 USC 111(a)

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

<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
Extension - 3 months with \$0 paid	2253	1	700	700
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>700</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	22996413
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Toni Cruz
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6
<b>Receipt Date:</b>	22-JUL-2015
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	19:13:39
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$700
RAM confirmation Number	5500
Deposit Account	191970
Authorized User	BLAKELY, TODD P.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

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Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Response_to_2015_01_26_OA.pdf	130300 0adddc3e08c843f0e6921845fb97b83ccd34bb0e	yes	12
<b>Multipart Description/PDF files in .zip description</b>					
	<b>Document Description</b>		<b>Start</b>		<b>End</b>
	Amendment/Req. Reconsideration-After Non-Final Reject		1		1
	Claims		2		7
	Applicant Arguments/Remarks Made in an Amendment		8		12
<b>Warnings:</b>					
<b>Information:</b>					
2	Extension of Time	Petition_Ext_time.pdf	163222 60841ae5e88819102d43d691620a111cd36241	no	2
<b>Warnings:</b>					
<b>Information:</b>					
3	Fee Worksheet (SB06)	fee-info.pdf	30722 95c1aadaa1fc26a41af61ac1deaf04269f5e7287	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			324244		

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**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.**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NICHEL	6367-6	4334
22442	7590	01/26/2015	EXAMINER	
Sheridan Ross PC 1560 Broadway Suite 1200 Denver, CO 80202			ALIE, GHASSEM	
			ART UNIT	PAPER NUMBER
			3724	
			NOTIFICATION DATE	DELIVERY MODE
			01/26/2015	ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

e-docket@sheridanross.com

<b>Office Action Summary</b>	<b>Application No.</b> 14/070,117	<b>Applicant(s)</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	<b>AIA (First Inventor to File) Status</b> Yes

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

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 12/22/14.
  - A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                                  2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims\***

- 5)  Claim(s) 21-37 is/are pending in the application.
  - 5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 21-37 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on 11/01/13 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- 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)).

\*\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)  
Paper No(s)/Mail Date 11/10/14.
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 4)  Other: \_\_\_\_\_.

Art Unit: 3724

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

***Election/Restrictions***

1. Applicant's election of Invention I (1-13) and Subgroup IC (claims 8-13) in the reply filed on 12/22/14 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Although claims 1-20 have been cancelled and new claims 21-37 directed to the elected invention and Subgroup IC (claims 8-13) has been submitted; applicant has failed to elect one of the Species of the Species I-IV as required by item 7 of the Restriction Requirement. Applicant must elect one of the Species in response to this Office Action.

***Claim Objections***

2. Claim 21 is objected to because of the following informalities: there are multiple capital letters in claim 21. It should be noted that each patent claim should start with a capital letter and ends with a period. See MPEP 608.01 (M). It is suggested that applicant limit the capital letters in the claim to a single one in which the claim starts. In addition, claim 21 has more than one period. Periods may not be used elsewhere in the claims except for abbreviations. *See Fressola v. Manbeck, 36 USPQ2d 1211 (D.D.C. 1995)*. Applicant could use indentations instead of a., b., c., d., and e. to set forth the plurality of elements in the claim. In claim 21, line 9; "a work piece" should be --the work piece--. In claim 36, line 1; "wherein first bearing means" should be --wherein the first bearing means--. Appropriate correction is required.

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***Claim Rejections - 35 USC § 103***

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102 of this title, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21, 23-27, 31, and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jukoff (2002/0029822 A1) in view of Schwartz (7,140,286). Regarding claim 21, Jukoff teaches an anti-kickback device for use with a powered cutting tool 26 having a rotating cutting element for cutting a work piece, a table 12 having at least one surface 16 for supporting a work piece 24 prior during and after cutting, and a guide fence 22 having a second surface oriented perpendicular to the at least a one surface 16 of the at least one table, comprising: a. a mounting plate 46 secured to the table proximate the rotating cutting element; b. a base 58 secured to the mounting plate, adjustably positionable relative to the mounting plate and the cutting element; c. a first bearing assembly 28 pivotally affixed to the base for applying pressure against a first surface of a work piece 24 to push the work piece against the guide fence 22, the first bearing assembly comprising an elongate bearing arm having a first portion 30 and a second portion 92 disposed at an angle (at least a zero angle) relative to the first portion, a first bearing member disposed at the end of the first portion 30 opposite the second portion and having a first bearing 32 pivot about which the first bearing rotates, the first bearing member for engaging a work piece, a first bearing arm pivot 36 disposed in the first portion 30 and about which the first bearing arm pivots relative

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to the base disposed, and first adjustable biasing means 88 connected between the base (the elbow member 100 of the base) and the second portion 92 whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the work piece surface; a second bearing assembly for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first portion 130 and a second portion (defined by the elbow member) disposed at an angle relative to the first portion, a second bearing member 132 disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot 136, and second adjustable biasing means 188 whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and

e. the absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element.

See Figs. 1-7 in Jukoff. Jukoff does not explicitly teach that the second bearing assembly is affixed to the same base. However, the use of an anti-kickback device having a base which is mounted on a mounting plate and carries two different bearing assemblies is old and well known in the art such as taught by Schwarz. Schwarz teaches a mounting plate 20 and a base 12 adjustably mounted of a mounting assembly. Schwarz also teaches that the base includes a first bearing assembly 21 and a second bearing assembly 77 disposed on the same base 12. See Figs. 1-3 in Schwarz. It would have been obvious to a person of ordinary skill in the art modify the base of Jukoff's anti-kickback as taught by Schwarz in order to facilitated

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adjustment of the second bearing assembly relative to the first bearing assembly and the fence and reduce the number of parts of the anti-kickback assembly.

Regarding claim 23, Jukoff teaches everything noted above including that first and second bearing arms are removable.

Regarding claim 24, Jukoff, as modified by Schwarz, teaches everything noted above including a channel 99 is formed in the at least one surface, and the mounting plate comprises a member 20 that seats within the channel and is repositionable within the channel. See Fig. 1 in Schwarz.

Regarding claim 25, Jukoff, as modified by Schwarz, teaches everything noted above including that the base comprises a linear slot and further comprising a lock member 25 positioned in the slot to lock the position of the base 12 relative to the cutting element. See Fig. 1 in Schwarz.

Regarding claim 26, Jukoff teaches everything noted above including that the powered cutting tool has a forward end and a rearward end, wherein the forward end is defined as the end from which the work piece is introduced to the cutting element and the rearward end is defined as the end towards which the work piece exits the cutting element, and wherein the first bearing arm pivot is positioned forward of the first bearing member pivot.

Regarding claim 27, Jukoff teaches everything noted above including that the first portion 30 and second portion 92 of the first bearing arm are substantially co-planar.

Regarding claim 31, Jukoff teaches everything noted above including that the first force applied by the first bearing member has a first component force that is applied



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perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

Regarding claim 33, Jukoff teaches everything noted above including that the powered cutting tool is at least one of a table saw, jointer, router, and shaper.

Regarding claim 34, Jukoff teaches everything noted above including that the the first surface and second surface are not parallel.

Regarding claim 35, Jukoff teaches everything noted above including that the the first direction is vertical and the second direction is horizontal.

Regarding claim 36, Jukoff teaches everything noted above including that first bearing means and the first biasing assembly and the second bearing assembly are positioned on the opposite side of the cutting element from the guide fence.

Regarding claim 37, Jukoff teaches everything noted above including a stop member 62 associated with the body to define one limit of the rotational position of the first bearing arm. See Fig. 1 in Jukoff.

5. Claims 22, 28, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jukoff in view of Schwartz, as applied to claim 21, and in further view of Lin (7,730,914) or Friend (2006/0201297). Regarding claim 22, Jukoff in view of Schwarz does not teach a third bearing assembly similar to the first bearing assembly for applying a third force against a surface of the work piece at an acute angle relative to an the surface. However, the use of two parallel bearing assemblies to apply pressure on two different surface of a work piece on a same side of the work piece is old and well known in the art such as taught by Lin and Friend. Lin teaches two parallel bearing assemblies 81-84 to apply pressure on two different

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surface of a work piece on a same side of the work piece. See Figs. 1-4 in Lin. Friend also teaches two parallel bearing assemblies 30, 32 to apply pressure on two different surface of a work piece on a same side of the work piece. See Fig. 1 in Friend. It would have been obvious to provide Jukoff's anti-kickback device with another bearing assembly similar to the first bearing assembly, as taught by Lin or Friend, in order to ensure that the work piece is held firmly against the fence at least on two different locations and avoid lateral movement of the work piece during cut.

Regarding claim 28, Jukoff teaches everything noted above including that the first portion 30 and second portion 92 of the first bearing arm and the first portion and second portion of the third bearing arm are substantially co-planar.

Regarding claim 32, Jukoff teaches everything noted above including that the first force applied by the first bearing member has a first component force that is applied perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

6. Claims 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jukoff in view of Schwartz, as applied to claim 21, and in further view of Villiger (7,341,081). Regarding claim 29, Jukoff, as modified above, teaches everything noted above except multiple connection points disposed on the second portion of the first bearing arm for interconnection with the first adjustable biasing means, wherein each connection point causes the first adjustable biasing means to apply a different force to the first bearing member. However, the use of multi connection point on a bearing assembly is old and well known in the art such as taught by Villinger. Villinger teaches multiple connection points 20b disposed on a second

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portion 4 of a first bearing arm for interconnection with a first adjustable biasing means 7, wherein each connection point causes the first adjustable biasing means to apply a different force to a first bearing member 2. See Figs. 1-3A in Villinger. It would have been obvious to a person of ordinary skill in the art to replace the first bearing assembly of Jukoff's anti-kickback assembly, as modified above, with the first bearing assembly, as taught by Villinger, since both bearing assemblies in Jukoff and Villinger are art-recognized equivalents which produce the same function.

7. Claims 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jukoff in view of Schwartz, Lin or Friend, as applied to claim 22, and in further view of Villinger. Regarding claim 30, Jukoff, as modified above, teaches everything noted above except multiple connection points disposed on the second portion of the third bearing arm for interconnection with the third adjustable biasing means, wherein each connection point causes the third adjustable biasing means to apply a different force to the third bearing member. However, the use of multi connection point on a bearing assembly is old and well known in the art such as taught by Villinger. Villinger teaches multiple connection points 20b disposed on a second portion 4 of a first bearing arm for interconnection with a first adjustable biasing means 7, wherein each connection point causes the first adjustable biasing means to apply a different force to a first bearing member 2. See Figs. 1-3A in Villinger. It would have been obvious to a person of ordinary skill in the art to replace the first bearing assembly of Jukoff's anti-kickback assembly, as modified above, with the first bearing assembly, as taught by Villinger, since both bearing assemblies in Jukoff and Villinger are art-recognized equivalents which produce the same function.

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***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Livick (4,026,173) teach an anti-kickback device.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Landrum can be reached on (571) 272-5567. 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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 14/070,117  
Art Unit: 3724

Page 10

/Ghassem Alie/

Primary Examiner, Art Unit 3724

January 20, 2015

<b>Notice of References Cited</b>	Application/Control No. 14/070,117	Applicant(s)/Patent Under Reexamination NIICHEL, WILLIAM	
	Examiner GHASSEM ALIE	Art Unit 3724	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-4,026,173	05-1977	Livick, Lester R.	83/421
*	B US-7,140,286	11-2006	Schwartz, Neal K.	83/446
*	C US-2002/0029822	03-2002	Jukoff, Peter	144/253.6
*	D US-7,341,081	03-2008	Villiger, Eric J.	144/253.8
*	E US-7,730,914	06-2010	Lin, Chin-Chi	144/242.1
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


**FOREIGN PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

**NON-PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>


-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	10/16/2014	01/20/2015						
	1	÷	-						
	2	÷	-						
	3	÷	-						
	4	÷	-						
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	27		✓						
	28		✓						
	29		✓						
	30		✓						
	31		✓						
	32		✓						
	33		✓						
	34		✓						
	35		✓						
	36		✓						

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>


N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	10/16/2014	01/20/2015						
	37		✓						



<b>Search Notes</b>  	<b>Application/Control No.</b>  14070117	<b>Applicant(s)/Patent Under Reexamination</b>  NIICHEL, WILLIAM
	<b>Examiner</b>  GHASSEM ALIE	<b>Art Unit</b>  3724

CPC- SEARCHED		
Symbol	Date	Examiner
B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D59/00	1/20/15	GA

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
83	477,471,472,477.2,582,574,446,451,448,450	1/20/15	GA
30	375,376.377.378	1/20/15	GA
29	401.1	1/20/15	GA
144	253.6	1/20/15	GA

SEARCH NOTES		
Search Notes	Date	Examiner
EAST, Inventor, and Text Search	01/20/15	GA

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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BIB DATA SHEET

CONFIRMATION NO. 4334

<b>SERIAL NUMBER</b> 14/070,117	<b>FILING or 371(c) DATE</b> 11/01/2013 <b>RULE</b>	<b>CLASS</b> 083	<b>GROUP ART UNIT</b> 3724	<b>ATTORNEY DOCKET NO.</b> 6367-6	
<b>APPLICANTS</b> <b>INVENTORS</b> WILLIAM NICHOL, PUEBLO WEST, CO; <b>** CONTINUING DATA *****</b> This appln claims benefit of 61/721,390 11/01/2012 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **</b> 11/15/2013					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>/GHASSEM ALIE/</u> Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials _____	<b>STATE OR COUNTRY</b> CO	<b>SHEETS DRAWINGS</b> 21	<b>TOTAL CLAIMS</b> 20	<b>INDEPENDENT CLAIMS</b> 2
<b>ADDRESS</b> Sheridan Ross PC 1560 Broadway Suite 1200 Denver, CO 80202 UNITED STATES					
<b>TITLE</b> SAFETY DEVICE FOR POWER CUTTING TOOLS					
<b>FILING FEE RECEIVED</b> 730	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number	14/070,117	
				Filing Date	November 1, 2013	
				First Named Inventor	William Niichel	
				Art Unit	3724	
				Examiner Name	Ghassem Alie	
Sheet	1	of	1	Attorney Docket Number	6367-6	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	13354	07/31/1855	Hull	
	2	2722247	11/01/1955	Schroeder et al.	
	3	3101104	08/20/1963	Sullivan	
	4	3738403	06/12/1973	Schwoch et al.	
	5	4469318	09/04/1984	Slavic	
	6	4976298	12/11/1990	Gibson	
	7	5058474	10/22/1991	Herrera	
	8	5148846	09/22/1992	Van Gelder	
	9	5595102	01/21/1997	O'Grady	
	10	8371198	02/12/2013	Babine	
	11	2006/0201297	09/14/2006	Friend	
	12	2012/0118120	05/17/2012	Niichel	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> , Number <sup>4</sup> , Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

NON-PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	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.
	13	Restriction Requirement for U.S. Patent Application No. 13/295,813, mailed Nov. 19, 2013 (Attorney' Ref. No. 6367-1) 7 pages
	14	Official Action for U.S. Patent Application No. 13/295,813, mailed Apr. 01, 2014 (Attorney' Ref. No. 6367-1) 9 pages
	15	Final Action for U.S. Patent Application No. 13/295,813, mailed Aug. 13, 2014 (Attorney' Ref. No. 6367-1) 10 pages

Examiner Signature	/Ghassem Alie/	Date Considered	01/20/2015
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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. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /G.A./

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 15:34
S2	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S3	703	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S4	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:34
S5	120	144/253.6.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:35
S6	0	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S7	6791	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S8	13785	S1 OR S2 OR S3 OR S4 OR S4 OR S7	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20 15:36
S9	2663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	USPAT	OR	OFF	2015/01/20 18:53
S10	4663	83/477,471,472,477.2,582,574,471,446,451,448,450.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2015/01/20 18:53

			DERWENT; IBM_TDB			
S11	703	30/375,376,377,378.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20; 18:53
S12	1991	29/401.1.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20; 18:53
S13	6791	B23Q3/002;B27G19/00;B27G19/02;B27G21/00;B26D7/22;B23D56/00.CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20; 18:53
S14	13785	S9 OR S10 OR S11 OR S12 OR S12 OR S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20; 18:53
S15	420	S14 and kickback	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/01/20; 18:53

1/21/2015 6:41:56 AM

C:\Users\galie\Documents\EAST\Workspaces\14070117.wsp

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:	)	Group Art Unit: 3724
NIICHEL	)	Confirmation No.: 4334
Serial No.: 14/070,117	)	Examiner: ALIE, GHASSEM
Filed: November 1, 2013	)	
Atty. File No.: 6367-6-CIP	)	<u>RESPONSE TO RESTRICTION</u>
Entitled: "SAFETY DEVICE FOR	)	<u>REQUIREMENT AND</u>
POWER CUTTING TOOLS"	)	<u>PRELIMINARY AMENDMENT</u>
	)	Electronically Submitted

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In an Office Action having a mailing date of October 21, 2014, the Examiner issued a Restriction Requirement with regard to the present patent application. Applicant submits this Response to Restriction Requirement and Preliminary Amendment for review prior to the initial review of the above-identified patent application. Although no fee is believed due with this submission, the Commissioner is authorized to charge Deposit Account No. 19-1970 in the event any fees are deemed necessary.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 7 of this paper.

## AMENDMENT TO THE SPECIFICATION

On page 1, line 3 through line 6, please replace the subheading and paragraph with the following subheading and paragraph:

### CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims the benefit of U.S. Provisional Application Serial No. 61/721,390 filed November 1, 2012 entitled "Quick Release for Hold Down Device," and is a continuation-in-part of U.S. Patent Application No. 13/295,813 filed November 14, 2011 entitled "Safety Device for Table Saw," which claims the benefit of U.S. Provisional Patent Application No. 61/413,283 filed November 12, 2010 entitled "Safety Device for Table Saws," U.S. Provisional Patent Application No. 61/431,275 filed January 10, 2011 entitled "Safety Device for Left-Handed Use of Table Saw," and U.S. Provisional Patent Application No. 61/533,663 filed September 12, 2011 entitled "Adjustable Safety Device for Saws," the entirety of each are ~~which~~ is incorporated herein by this reference.

## AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

What is claimed is:

1.-20. (Canceled).

Please add the following new claims:

21. (New) An anti-kickback device for use with a powered cutting tool having a rotating cutting element for cutting a work piece, a table having at least one surface for supporting a work piece prior during and after cutting, and a guide fence having a second surface oriented perpendicular to the at least a one surface of the at least one table, comprising:

- a. A mounting plate secured to the table proximate the rotating cutting element;
- b. A base secured to the mounting plate, adjustably positionable relative to the mounting plate and the cutting element;
- c. A first bearing assembly pivotally affixed to the base for applying pressure against a first surface of a work piece to push the work piece against the guide fence, the first bearing assembly comprising an elongate bearing arm having a first portion and a second portion disposed at an angle relative to the first portion, a first bearing member disposed at the end of the first portion opposite the second portion and having a first bearing pivot about which the first bearing rotates, the first bearing member for engaging a work piece, a first bearing arm pivot disposed in the first portion and about which the first bearing arm pivots relative to the base disposed, and first adjustable biasing means connected between the base and the second portion whereby the first bearing member applies a first force against a first surface of the work piece at an acute angle relative to the work piece surface;
- d. A second bearing assembly affixed to the base for applying pressure against a second surface of the work piece to push the work piece against the at least one surface of the table and not against the guide fence, the second bearing assembly comprising a second elongate bearing arm having a first portion and a second portion disposed at an angle relative to the first portion, a



second bearing member disposed at the distal end of the first portion for engaging the work piece, the second bearing member having a second bearing member pivot, and second adjustable biasing means whereby the second bearing member applies a second force against a second surface of the work piece in a direction perpendicular to the force applied by the first bearing member; and

- e. The absence of any bearing members positioned following the rotating cutting element for applying pressure against the work piece in a direction toward the rotating cutting element.

22. (New) The anti-kickback device of Claim 21, further comprising a third bearing assembly pivotally affixed to the base for applying pressure against the first surface of the work piece to push the work piece against the guide fence, the third bearing assembly comprising an elongate bearing arm having a first portion and a second portion disposed at an angle relative to the first portion, a third bearing member disposed at the end of the first portion opposite the second portion for engaging a work piece and having a third bearing member pivot about which the third bearing pivots, a pivot point for the third bearing arm disposed in the first portion and about which the third bearing arm pivots relative to the base, and third adjustable biasing means connected between the base and the second portion whereby the third bearing member applies a third force against a surface of the work piece at an acute angle relative to the surface.

23. (New) The anti-kickback device of Claim 21, wherein the first and second bearing arms are removable.

24. (New) The anti-kickback device of Claim 21, wherein a channel is formed in the at least one surface, and the mounting plate comprises a member that seats within the channel and is repositionable within the channel.

25. (New) The anti-kickback device of Claim 21, wherein the base comprises a linear slot and further comprising a lock member positioned in the slot to lock the position of the base relative to the cutting element.

26. (New) The anti-kickback device of Claim 21, wherein the powered cutting tool has a forward end and a rearward end, wherein the forward end is defined as the end from which the work piece is introduced to the cutting element and the rearward end is defined as the end towards which the work piece exits the cutting element, and wherein the first bearing arm pivot is positioned forward of the first bearing member pivot.

27. (New) The anti-kickback device of Claim 21, wherein the first portion and second portion of the first bearing arm are substantially co-planar.

28. (New) The anti-kickback device of Claim 22, wherein the first portion and second portion of the first bearing arm and the first portion and second portion of the third bearing arm are substantially co-planar.

29. (New) The anti-kickback device of Claim 21, further comprising multiple connection points disposed on the second portion of the first bearing arm for interconnection with the first adjustable biasing means, wherein each connection point causes the first adjustable biasing means to apply a different force to the first bearing member.

30. (New) The anti-kickback device of Claim 22, further comprising multiple connection points disposed on the second portion of the third bearing arm for interconnection with the third adjustable biasing means, wherein each connection point causes the third adjustable biasing means to apply a different force to the third bearing member.

31. (New) The anti-kickback device of Claim 21, wherein the first force applied by the first bearing member has a first component force that is applied perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

32. (New) The anti-kickback device of Claim 22, wherein the third force applied by the third bearing member has a first component force that is applied perpendicular to the first surface and a second component opposing advancement of the work piece toward the cutting element.

33. (New) The anti-kickback device of Claim 21, wherein the powered cutting tool is at least one of a table saw, jointer, router, and shaper.

34. (New) The anti-kickback device of Claim 21, wherein the first surface and second surface are not parallel.

35. (New) The anti-kickback device of Claim 21, wherein the first direction is vertical and the second direction is horizontal.

36. (New) The anti-kickback device of Claim 21, wherein first bearing means and the first biasing assembly and the second bearing assembly are positioned on the opposite side of the cutting element from the guide fence.

37. (New) The anti-kickback device of Claim 21, further comprising a stop member associated with the body to define one limit of the rotational position of the first bearing arm.

## REMARKS

Applicant submits this Response to Restriction Requirement and Preliminary Amendment in response to the Restriction Requirement having a notification date of October 21, 2014.

The above amendment to the specification is submitted to correct the claim of domestic priority to earlier-filed U.S. continuation-in-part and provisional patent applications. A Replacement Application Data Sheet is being filed contemporaneously herewith, reflecting the correct claim of domestic priority.

Regarding the restriction requirement, Claims 1-20 are pending in this application and have been canceled without prejudice. New Claims 21-37 are presented herewith. New Claims 21-37 are directed to an anti-kickback device and, therefore, fall within Group I defined by the Examiner in the October 21, 2014 office action. Further, new independent Claim 21 is directed to an anti-kickback device with multiple bearing members and falls within subgroup IC. Applicant elects to proceed with examination of an anti-kickback device having multiple bearing assemblies as part of a single device. Applicant reserves the right to submit method claims as part of a divisional application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: /TODD P. BLAKELY/  
Todd P. Blakely  
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(303) 863-9700

Date: December 22, 2014

**REPLACEMENT**

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6- 6367-6-CIP
		Application Number	14/070,117
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

**Secrecy Order 37 CFR 5.2**

<input type="checkbox"/>	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--------------------------	---

**Inventor Information:**

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	WILLIAM		NIICHEL			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						
City	PUEBLO WEST	State/Province	CO	Country of Residence	US	
Mailing Address of Inventor:						
Address 1	516 MEREDITH DRIVE					
Address 2						
City	PUEBLO WEST	State/Province	CO			
Postal Code	81007	Country i	US			
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.						Add

**Correspondence Information:**

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.	
Customer Number	22442
Email Address	Add Email Remove Email

**Application Information:**

Title of the Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
Attorney Docket Number	6367-6-CIP	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	21	Suggested Figure for Publication (if any)	
<b>Filing By Reference :</b>			

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	<u>14/070,117</u>
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

### Publication Information:

Request Early Publication (Fee required at time of Request 37 CFR 1.219)

**Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

### Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)
Customer Number	22442		

### Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the application number blank.

Prior Application Status	Pending <u>Expired</u>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Claims benefit of provisional	61721390	2012-11-01
Prior Application Status	<u>Expired</u>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Claims benefit of provisional</u>	61533663	2011-09-12
Prior Application Status	<u>Expired</u>	<input type="button" value="Remove"/>	

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

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Claims benefit of provisional</u>	<u>61431275</u>	<u>2011-01-10</u>
Prior Application Status	<u>Expired</u>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Claims benefit of provisional</u>	<u>61413283</u>	<u>2010-11-12</u>
Prior Application Status	<u>Pending</u>	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	<u>Continuation in part of</u>	<u>13295813</u>	<u>2011-11-14</u>
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the <b>Add</b> button.			

### Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)<sup>1</sup> the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

<input type="button" value="Remove"/>			
Application Number	Country <sup>1</sup>	Filing Date (YYYY-MM-DD)	Access Code <sup>1</sup> (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the <b>Add</b> button.			

### Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

<p>This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.</p> <p><input checked="" type="checkbox"/> NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.</p>
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

**Authorization to Permit Access:**

<input type="checkbox"/> Authorization to Permit Access to the Instant Application by the Participating Offices
<p>If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.</p> <p>In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.</p> <p>In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.</p>

**Applicant Information:**

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
<b>Applicant 1</b>				
<p>If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.</p>				
<input type="button" value="Clear"/>				
<input type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117	<input type="radio"/> Joint Inventor		
<input type="radio"/> Person to whom the inventor is obligated to assign.		<input type="radio"/> Person who shows sufficient proprietary interest		
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
Name of the Deceased or Legally Incapacitated Inventor: <input type="text"/>				
If the Applicant is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix



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<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		

<b>Mailing Address Information For Applicant:</b>			
Address 1			
Address 2			
City		State/Province	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			

### Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

<b>Assignee 1</b>				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
<b>Mailing Address Information For Assignee including Non-Applicant Assignee:</b>				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

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<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6-CIP	
		Application Number		
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS			

**Signature:**

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.					
Signature	/TODD P. BLAKELY/			Date (YYYY-MM-DD)	<del>2013-11-01</del> 2014-12-22
First Name	TODD P.	Last Name	BLAKELY	Registration Number	31328
Additional Signature may be generated within this form by selecting the Add button.					

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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.**

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	21040738
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Mollie McDonald
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6
<b>Receipt Date:</b>	22-DEC-2014
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	17:54:25
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		RESPONSE_TO_RESTRICTION_REQUIREMENT_PRELAMENDMENT.pdf	96118 <small>ea10b5e565df74d35cb004901a86d9553b9f8be4</small>	yes	7

Multipart Description/PDF files in .zip description			
Document Description	Start	End	
Response to Election / Restriction Filed	1	1	
Specification	2	2	
Claims	3	6	
Applicant Arguments/Remarks Made in an Amendment	7	7	

**Warnings:**

**Information:**

2	Application Data Sheet	6367_6_ADS_UPDATED_pto1.pdf	827995 <small>cf4110dd6ed63689f18e1f0c8bbdf8df94df550b</small>	no	7
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**Warnings:**

**Information:**

This is not an USPTO supplied ADS fillable form

**Total Files Size (in bytes):**

924113

**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.

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.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>14/070,117</b>	Filing Date <b>11/01/2013</b>	<input type="checkbox"/> To be Mailed
---	---	----------------------------------	---------------------------------------

ENTITY:  LARGE  SMALL  MICRO

**APPLICATION AS FILED – PART I**

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

**APPLICATION AS AMENDED – PART II**

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
<b>AMENDMENT</b>	<b>12/22/2014</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			
		* 17	Minus	** 20	= 0	X \$40 = 0	
		* 1	Minus	***3	= 0	X \$210 = 0	
		<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
		<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	<b>0</b>	

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
<b>AMENDMENT</b>		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			
		*	Minus	**	=	X \$ =	
		*	Minus	***	=	X \$ =	
		<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
		<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE		

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE  
/DAWN BREWER/

This collection of information is required by 37 CFR 1.16. 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. 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.*

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number	14/070,117	
				Filing Date	November 1, 2013	
				First Named Inventor	William Niichel	
				Art Unit	3724	
				Examiner Name	Ghassem Alie	
Sheet	1	of	1	Attorney Docket Number	6367-6	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	13354	07/31/1855	Hull	
	2	2722247	11/01/1955	Schroeder et al.	
	3	3101104	08/20/1963	Sullivan	
	4	3738403	06/12/1973	Schwoch et al.	
	5	4469318	09/04/1984	Slavic	
	6	4976298	12/11/1990	Gibson	
	7	5058474	10/22/1991	Herrera	
	8	5148846	09/22/1992	Van Gelder	
	9	5595102	01/21/1997	O'Grady	
	10	8371198	02/12/2013	Babine	
	11	2006/0201297	09/14/2006	Friend	
	12	2012/0118120	05/17/2012	Niichel	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> ; Number <sup>4</sup> ; Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

NON-PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	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.
	13	Restriction Requirement for U.S. Patent Application No. 13/295,813, mailed Nov. 19, 2013 (Attorney' Ref. No. 6367-1) 7 pages
	14	Official Action for U.S. Patent Application No. 13/295,813, mailed Apr. 01, 2014 (Attorney' Ref. No. 6367-1) 9 pages
	15	Final Action for U.S. Patent Application No. 13/295,813, mailed Aug. 13, 2014 (Attorney' Ref. No. 6367-1) 10 pages

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. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	20646920
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Jeffrey Polatis
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6
<b>Receipt Date:</b>	10-NOV-2014
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	10:45:24
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	6367-1_RR_11-19-2013.pdf	617363 441885e10b0de5306a0e153c98a428452563b0db	no	7

### Warnings:

### Information:



2	Non Patent Literature	6367-1_OA_04-01-2014.pdf	294907 335b9dbe754460ffd8128924002397f8f297379a	no	9
<b>Warnings:</b>					
<b>Information:</b>					
3	Non Patent Literature	6367-1_FOA_08-13-2014.pdf	973788 69a37bb8db046a18325f41fb819f7acba066b7d	no	10
<b>Warnings:</b>					
<b>Information:</b>					
4		IDS_01.pdf	373377 9a5fb0783e0a79810f43b832e6eb9555096d1330	yes	4
	<b>Multipart Description/PDF files in .zip description</b>				
	<b>Document Description</b>		<b>Start</b>	<b>End</b>	
	Transmittal Letter		1	3	
	Information Disclosure Statement (IDS) Form (SB08)		4	4	
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			2259435		
<p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>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.</b></p>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: ) Group Art Unit: 3724  
William Niichel ) Confirmation No.: 4334  
Serial No.: 14/070,117 ) Examiner: Ghassem Alie  
Filed: November 1, 2013 ) INFORMATION DISCLOSURE  
Atty. File No.: 6367-6 ) STATEMENT  
Entitled: "Safety Device for Power Cutting )  
Tools" ) *Electronically Submitted*

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

Dear Commissioner:

The references cited on attached Form PTO/SB08 are being called to the attention of the Examiner.

- Copies of the cited non-patent and/or foreign references are enclosed herewith.
- Copies of the cited U.S. patents and/or patent applications are enclosed herewith.
- Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).
- Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- To the best of applicants' belief, the pertinence of the foreign-language references is believed to be summarized in the attached English abstracts and/or in the figures, although applicants do not necessarily vouch for the accuracy of the translation.
- Examiner's attention is drawn to the following related applications:
  - Serial No. 13/295,813 filed 11/14/11 (Attorney's Ref. No. 6367-1)
- Other: \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence

of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

**FEES**

<input checked="" type="checkbox"/>	<p><b>37 CFR 1.97(b):</b> No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfied by one of the following conditions ("X" indicates satisfaction):</p> <p><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</p> <p><input type="checkbox"/> Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application, or</p> <p><input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</p> <p><input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p><b>37 CFR 1.97(c):</b> The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of any one of the following conditions:</p> <p>(1) a final action under 37 C.F.R. 1.113, or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311, or</p> <p>(3) an action that otherwise closes prosecution in the application.</p> <p>This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$90.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p><b>37 CFR 1.97(d):</b> This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p style="text-align: center;">AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$90.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)


- The undersigned certifies that:
- Each item of information contained in the Information Disclosure Statement submitted herewith 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 statement. 37 C.F.R. 1.97(e)(1).
  - A copy of the communication from the foreign patent office is enclosed.

OR

- No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By:  /Todd P. Blakely/  \_\_\_\_\_  
Todd P. Blakely  
Registration No. 31328  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date:  November 10, 2014 \_\_\_\_\_



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/070,117	11/01/2013	WILLIAM NIICHEL	6367-6	4334
22442	7590	10/21/2014	EXAMINER	
Sheridan Ross PC 1560 Broadway Suite 1200 Denver, CO 80202			ALIE, GHASSEM	
			ART UNIT	PAPER NUMBER
			3724	
			NOTIFICATION DATE	DELIVERY MODE
			10/21/2014	ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

e-docket@sheridanross.com

<b>Office Action Summary</b>	<b>Application No.</b> 14/070,117	<b>Applicant(s)</b> NIICHEL, WILLIAM	
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724	<b>AIA (First Inventor to File) Status</b> Yes

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

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 11/01/13.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                                      2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims\***

- 5)  Claim(s) 1-20 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) \_\_\_\_\_ is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) 1-20 are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- 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)).

\*\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date \_\_\_\_\_.
- 3)  Interview Summary (PTO-413) Paper No(s)/Mail Date. \_\_\_\_\_.
- 4)  Other: \_\_\_\_\_.

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The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-13, drawn to an anti-kickback safety device including a frame adapted to be secured to a cutting tool; and biasing means applying a force to be proximal end n hold on arm to push a bearing means in a vertical downward direction.
  - II. Claims 14-20, drawn to a method of reducing the likelihood of kickback of a work piece undergoing a cutting operation including the steps of mounting a vertical hold down device to a powered cutting tool; and mounting a horizontal hold down device to the powered cutting tool.
2. Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process as claimed can be practiced by another and materially different apparatus that does not include a frame adapted to be secured to a cutting tool; and biasing means applying a force to be proximal end n hold on arm to push a bearing means in a vertical downward direction. In addition, the apparatus as claimed can be used to practice another and materially different process that does not include the steps of mounting a vertical hold down device to a powered cutting tool; and mounting a horizontal hold down device to the powered cutting tool.

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3. Upon the election of Invention I (claims 1-13) applicant must elect one of the inventions in the following Groups.

IA. Claims 2-4 and 6-7, drawn to an anti-kickback safety device including biasing means having a shaft rotatably interconnected to a frame.

IB. Claim 5, drawn to an anti-kickback safety device including bearing means having a roller.

IC. Claims 8-13, drawn to an anti-kickback safety device including a second hold down arm pivotally connected to the frame.

It should be noted that claim 1 will be examine with the elected subgroup.

4. Upon the election of Invention II (claims 14-20) applicant must elect one of the inventions in the following Groups.

IIA. Claims 17-18, drawn to a method of reducing the likelihood of kickback of a work piece including the step of adjusting a vertical hold down and a horizontal hold down.

IIB. Claims 19-20, drawn to a method of reducing the likelihood of kickback of a work piece including the step of covering a portion of a cutting instrument.

It should be noted that claims 14-16 will be examine with the elected subgroup.

Claim 1 links inventions IA-IC; and claim 14 link inventions IIA-IIB. The restriction requirement among the linked inventions is **subject to** the nonallowance of the linking claim(s) 1 and 14. Upon the indication of allowability of the linking claim(s), the restriction requirement as to the linked inventions **shall** be withdrawn and any claim(s)



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depending from or otherwise requiring all the limitations of the allowable linking claim(s) will be rejoined and fully examined for patentability in accordance with 37 CFR 1.104

**Claims that require all the limitations of an allowable linking claim** will be entered as a matter of right if the amendment is presented prior to final rejection or allowance, whichever is earlier. Amendments submitted after final rejection are governed by 37 CFR 1.116; amendments submitted after allowance are governed by 37 CFR 1.312. Applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, the allowable linking claim, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Where a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

The inventions are distinct, each from the other because of the following reasons:

5. Inventions IA-IC are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, e.g., subcombination IA has a separate utility such as it could be used without the above-mentioned features as set forth in inventions IB-IC. Conversely, each of the subcombinations IB-IC has a separate utility such as it could be used without the above-mentioned features as set forth in invention IA. See MPEP § 806.05(d).
6. Inventions IIA-IIB are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and

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are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, e.g., subcombination IIA has a separate utility such as it could be used without the above-mentioned features as set forth in invention IIB. Conversely, subcombination IIB has a separate utility such as it could be used without the above-mentioned features as set forth in invention IIA. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

7. Upon the election of one of the inventions I-II, applicant must further elect one of the following Species.

Species I. Figs. 1;

Species II. Fig. 6;

Species III. Fig. 38; and

Species IV. Fig. 47.

The species are independent or distinct because each one of the species has at least a unique feature that is not presented in other species.

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8. Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

(a) the inventions have acquired a separate status in the art in view of their different classification;

(b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;

(c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);

(d) the prior art applicable to one invention would not likely be applicable to another invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

In this case, the search for each individual invention may overlap but they do not coincide identically throughout. Therefore, the search for the elected invention may not be sufficient for the other non-elected inventions. Therefore, each individual invention includes a different field of search. In addition, the text and subclass search that might be needed to look for a particular feature in one invention is not sufficient for finding another particular feature in other invention due to their divergent subject matter. In other words, each

Art Unit: 3724

individual invention with at least a distinct feature has a separate status in the art and requires a different field of search.

9. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention.**

13. The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention. If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

10. Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

11. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for

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prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, it appears that claim 1 is generic.

12. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

13. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

14. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

15. The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the

Art Unit: 3724

election shall be treated as an election without traverse.

***Conclusion***


16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley reached on (571) 272-4502. 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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ghassem Alie/  
Primary Examiner, Art Unit 3724

October 16, 2014

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b> 14070117	<b>Applicant(s)/Patent Under Reexamination</b> NIICHEL, WILLIAM
	<b>Examiner</b> GHASSEM ALIE	<b>Art Unit</b> 3724

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

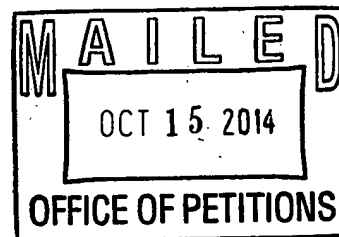
CLAIM		DATE							
Final	Original	10/16/2014							
	1	÷							
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	3	÷							
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	5	÷							
	6	÷							
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**SHERIDAN ROSS PC  
1560 BROADWAY  
SUITE 1200  
DENVER CO 80202**



In re Application of :  
NICHAEAL :  
Application No. 14/070,117 :  
Filed: November 1, 2013 :  
Attorney Docket No. 6367-6 :  
DECISION ON PETITION  
TO MAKE SPECIAL UNDER  
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 27, 2014, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Todd P. Blakely, which will be treated as the result of the attorney having evidence that one of the applicants is at least 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

The application is being referred to Technology Center Art Unit 3724 for further processing.

/Diane Goodwyn/  
Diane Goodwyn  
Paralegal Specialist  
Office of Petitions



<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION                      UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	14/070,117	Confirmation Number	4334	Filing Date	2013-11-01
Attorney Docket Number (optional)	6367-6	Art Unit	3724	Examiner	Not yet assigned
First Named Inventor	WILLIAM NIICHEL				
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS				
<b>Attention: Office of Petitions</b> An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).  APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.  A grantable petition requires one of the following items: (1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or (2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
WILLIAM		NIICHEL			
A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.  Select (1) or (2) :					
<input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input checked="" type="radio"/> (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.					
Signature	/TODD P. BLAKELY/		Date (YYYY-MM-DD)	2014-06-27	
Name	TODD P. BLAKELY		Registration Number	31328	

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	19432735
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6
<b>Receipt Date:</b>	27-JUN-2014
<b>Filing Date:</b>	01-NOV-2013
<b>Time Stamp:</b>	11:54:03
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition to make special based on Age/ Health	PETITION_TO_MAKE_SPECIAL_6.pdf	79331 <small>53585a1db16aa007c39556a9839f3078e1188626</small>	no	2

### Warnings:

### Information:

**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.**



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Table with 4 columns: APPLICATION NUMBER (14/070,117), FILING OR 371(C) DATE (11/01/2013), FIRST NAMED APPLICANT (WILLIAM NICHEL), ATTY. DOCKET NO./TITLE (6367-6)

CONFIRMATION NO. 4334

PUBLICATION NOTICE



22442
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

Title:SAFETY DEVICE FOR POWER CUTTING TOOLS

Publication No.US-2014-0116219-A1
Publication Date:05/01/2014

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875

Application or Docket Number  
14/070,117

**APPLICATION AS FILED - PART I**

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	20 minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	*
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

**SMALL ENTITY**

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
	0.00
<b>TOTAL</b>	<b>730</b>

**OR OTHER THAN SMALL ENTITY**

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
<b>TOTAL</b>	

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED - PART II**

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	*	Minus	**	=
Independent (37 CFR 1.16(h))	*	Minus	***	=	
Application Size Fee (37 CFR 1.16(s))					
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

**SMALL ENTITY**

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
<b>TOTAL ADD'L FEE</b>	

**OR OTHER THAN SMALL ENTITY**

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
<b>TOTAL ADD'L FEE</b>	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	*	Minus	**	=
Independent (37 CFR 1.16(h))	*	Minus	***	=	
Application Size Fee (37 CFR 1.16(s))					
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
<b>TOTAL ADD'L FEE</b>	

**OR OTHER THAN SMALL ENTITY**

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
<b>TOTAL ADD'L FEE</b>	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/070,117, 11/01/2013, 3724, 730, 6367-6, 20, 2

CONFIRMATION NO. 4334

22442
Sheridan Ross PC
1560 Broadway
Suite 1200
Denver, CO 80202

FILING RECEIPT



Date Mailed: 11/20/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s) WILLIAM NIICHEL, PUEBLO WEST, CO;

Applicant(s) WILLIAM NIICHEL, PUEBLO WEST, CO;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/721,390 11/01/2012

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 11/15/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 14/070,117

Projected Publication Date: 05/01/2014

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

SAFETY DEVICE FOR POWER CUTTING TOOLS

**Preliminary Class**

083

**Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications:** Yes**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).



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**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	6367-6
		Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

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<input type="checkbox"/>	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
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**Application Information:**

Title of the Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS		
Attorney Docket Number	6367-6	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	21	Suggested Figure for Publication (if any)	

<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

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Prior Application Status	Pending	<a href="#">Remove</a>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61721390	2012-11-01
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<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6
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Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

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<p>This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.</p> <p><input checked="" type="checkbox"/> NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.</p>
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<p><input type="checkbox"/> Authorization to Permit Access to the Instant Application by the Participating Offices</p> <p>If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.</p> <p>In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.</p> <p>In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.</p>
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<b>Application Data Sheet 37 CFR 1.76</b>	Attorney Docket Number	6367-6
	Application Number	
Title of Invention	SAFETY DEVICE FOR POWER CUTTING TOOLS	

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## **SAFETY DEVICES FOR POWER CUTTING TOOLS**

### **CROSS REFERENCE TO RELATED APPLICATIONS**

The present application claims the benefit of U.S. Provisional Application Serial No. 5 61/721,390 filed November 1, 2012 entitled "Quick Release for Hold Down Device," the entirety of which is incorporated herein by this reference.

### **FIELD OF THE INVENTION**

The present invention relates to a safety system for powered cutting tools, primarily 10 table saws, router tables, miter saws and planers/jointers. The system comprises a number of component devices that, alone or in combination, provide enhanced safety and reduce or eliminate injuries to an operator of the equipment. The devices attach to a frame or table associated with the powered cutting tool and are adapted for securing work pieces during a cutting operation, protecting the operator's hands and arms and, in some instances, 15 simultaneously improving the versatility of the cutting tool.

### **BACKGROUND OF THE INVENTION**

Power cutting tools having a rotating blade or cutting element, such as table saws, miter saws, routers, jointers and shapers, are dangerous. Thousands of operators of these 20 types of cutting tools are severely injured every year. According to data from the United States Consumer Products Safety Commission, roughly 31,000 people are treated in emergency rooms every year for table saw injuries. It is believed that injuries resulting from use of table or cabinet-based power cutting tools other than table saws are equally significant, statistically and in the nature of the injury to the operator, but are not well reported because 25 fewer people own and use such equipment. The physical injury and trauma to an operator's hand and/or fingers is often significant. Injuries occur due to several factors, including lack of understanding by the operator of the equipment and/or characteristics of the wood being cut, inattentiveness, fatigue, work piece kickback and misuse of or misplaced reliance on accessory devices such as push sticks, feather boards, splitters and kerf blades.

30 As wood is cut, particularly with a table saw, preexisting stresses in the wood are released. The partially cut work piece may move, twist, or bend and the gap or kerf between



the cut portions of the wood close together before the work piece is fully cut. With the two separate halves pressing together at the rear of the blade where the saw teeth of the blade are rising up from the table, a work piece can be thrown forwards toward the operator as a projectile. This event is termed a kickback. A second form of kickback may occur if the saw's rip fence or guide fence is misadjusted so as to be slightly closer to the rear of the blade than the front, rather than being parallel to the blade. In this case, the fence can push the wood into the saw blade, leading to a similar result. Splitters and stationary blades mounted behind a rotating saw blade are one type of tool designed to prevent or reduce kickback. However, in practice, such devices do not prevent all cases of kickback and do not address non-kickback related injuries. Moreover, they are limited to use solely with table saws and not other type of powered cutting tools.

The operator can be seriously injured by the thrown work piece. However, serious injury also results to the operator's hand and/or fingers because, prior to the kickback event, the operator is pushing the work piece toward the rotating cutting tool. With the momentum of the pushing motion directed toward the cutting tool, and with the work piece suddenly removed or its physical position unexpectedly altered, the operator's hands can be thrust into the cutting tool. Similar situations can occur when the operator is using accessory aids and when the operator is cutting small pieces of wood with his/her hands positions closely to the cutting tool.

There are different types of cuts performed by powered cutting tools. One type is ripping. A rip cut is performed on a table saw by passing the wood between the blade and a rip fence parallel to the grain of the wood. A cross-cut is the same, but is performed across the grain of the wood. Another type of cut is mitering, and is performed by a specialized miter saw where the blade may be repositioned at an angle relative to the work piece. Mitering is an angle cross-cut. Another type of cut is beveling. Most bevels are rip cuts using a rip fence as a guide with the blade or table tilted to achieve the required angle. Bevel cuts may be made on a miter saw or a table saw. Another type of cut is a dado. A dado cut is done by setting a table saw blade to a cutting depth less than the thickness of the work piece to form a u-shaped cut or groove. The dado cut does not go entirely through the work piece. Routing also involves cutting a groove in a work piece. A jointer or shaper cuts or shaves an entire surface of a work piece, such as an edge, to remove or reduce a bow or curve in the

work piece. Serious injuries can occur with each of these devices. While all of these devices are different, each has a cutting zone which is the area proximate the moving blade or cutting instrument.

Attempts to develop safety devices for powered cutting tools have been made with limited success. For example, the website [www.tablesawaccidents.com/new-page-3.htm](http://www.tablesawaccidents.com/new-page-3.htm) shows three safety devices which have limited applicability and usefulness. The device identified as Hand Guard, is a work piece pusher for use in connection with a table saw. It provides a single notch or cut-out at its base which has an adjustable depth to accommodate work pieces of different thicknesses. However, this device is positioned between the saw blade and the guide fence when used. No protection is provided to the operator's hand and use of this device requires the operator's hand to pass by the rotating saw blade. It also limits the narrowness of a cut that can be made on a table saw due to its own width. A second similar device is also shown under the name Push Block. While it saddles and moves along a rip fence, it also provides no protection for the user's hand and only includes a single notch to accommodate a single work piece thickness. In addition, it is not adjustable to accommodate use with guide fences of different sizes and shapes. Further still, an anti-kickback roller device is shown. The device applies a downward pressure on the work piece. As illustrated, one device may be placed before the cutting blade and one positioned following the cutting blade. When deployed in this manner, the devices prevent the use of other needed safety devices, including a work piece pusher and hold down device. Indeed, the Hand Guard and Pusher Block devices depicted on the same web page could not be used with the anti-kickback devices as the forward anti-kickback device prevents the any type of pusher device from moving the work piece completely past the saw blade. It also appears that the post cut anti-kickback device requires the operator to manually lift and position the roller on the work piece, bringing the operator's hand dangerously close to the moving saw blade. Yet another safety device used with table saws is sold under the name SawStop by SawStop, LLC of Tualatin, Oregon. This device is designed to cause a table saw blade to quickly stop, with no injury to an operator's hand. However, this device costs hundreds of dollars and is not designed to be retrofit with existing table saws. Further still, all of the foregoing devices are designed and intended to be used with table saws and do not address the significant and serious injuries created with miter saws, routers, jointers and shapers.

## SUMMARY OF THE INVENTION

Accordingly, a novel system, devices, and methods are disclosed herein for safely operating powered cutting tools.

5           In one embodiment, the present invention contemplates a selectively positionable device for securing a work piece while also positioning a user's left hand at a safe distance away from the cutting zone, namely, the area proximate the rotating blade of a table saw, and providing protection in the event the user's hand were to inadvertently move toward an active blade. The device is secured to the base, frame or table top of the table saw while also being  
10 selectively positionable relative to the cutting tool to permit necessary positioning and movement of the work piece relative to and at different orientations to the cutting blade while simultaneously holding down the work piece to reduce kickback and providing protection for the operator's left hand. In one embodiment the device comprises a base that is rotatably secured to the table top of the cutting tool. A leading or front portion of the device that  
15 engages the work piece is provided with a series of stepped surfaces or shoulders to accommodate work pieces of different thickness. The device pivots or rotates to facilitate positioning relative to the work piece regardless of the size of the work piece. Rotation of the device allows constant contact with the work piece. It holds the work piece against the rip fence and holds it down against the surface of the table saw. Complete control of the  
20 work piece is provided. A physical stop is also provided such that the device cannot move into contact with the blade of the cutting tool nor cause the work piece to be pinched against the cutting tool and create a kickback.

          In another embodiment also designed for use with a table saw and intended to be used in combination with the previously described left hand device, a device is provided which is  
25 also designed to hold down the work piece at a different location and, at the same time, push the work piece past the saw blade quickly and safely. The safety device fits over or saddles the rip fence and slides forward to push the work piece through the cutting zone and past the rotating blade. In a first embodiment, the device generally comprises a left wall, a top wall and a right wall. The left wall and right wall are spaced apart slightly more than the width of  
30 a rip fence. The top wall is attached to the left and right walls and slides along the top of the rip fence. A handle is provided to be grasped by an operator. The left wall extends vertically

above the top wall and handle to protect the operator's hand from the saw blade in the event of an unexpected kickback or other accident or mistake. The lower portion of the left wall is formed with a series of stepped or increasingly large cut-outs. The cut-outs are designed to accommodate work pieces of different thickness. It should be appreciated by those of skill in the art that the cut-outs may be dimensioned in any number or variety of different sizes to accommodate work pieces of different thickness. There also may be more or fewer than four cut-outs. In a further alternative embodiment, the device may also be constructed in an adjustable version that allows adjustment of the left wall relative to the top and right wall to accommodate use with work pieces of different thicknesses by altering the position of the cut outs relative to the cutting surface.

A further embodiment of the safety device described in the prior paragraph is more fully adjustable. Here, the relative position of the component pieces are adjustable to accommodate rip fences of different dimensions.

A still further embodiment right hand hold down and pusher concept described in the prior paragraphs is one that incorporates a swing arm push element and is designed for use with a router, jointer and/or shaper, instead of a table saw. Here, instead of using a left wall with a series of cutouts, a swing arm is affixed to the left wall and permits a work piece to initially pass underneath the swing arm, rotating the swing arm to a position on top of the work piece. Once the work piece passes completely underneath the swing arm, the swing arm rotates to a generally vertical position where it engages the rear or trailing edge of the work piece, allowing the operator to completely push the work piece past the cutting element in a safe manner protecting the right hand of the operator. The position of the swing arm is adjustable to accommodate work pieces of different height.

Yet another embodiment for use with table saws is, for example, in making dado cuts. The dual bearing hold down device is provided with two separate bearing elements that press the work piece in two directions to safely secure the work piece and eliminate work piece kickback. A first bearing element presses the work piece against the guide rail or rip fence, and a second bearing element presses the work piece in a perpendicular direction against the surface of the cutting table. Both bearing elements are biased against the work piece and the biasing force is adjustable. Additionally, the device itself is positionally adjustable to accommodate work pieces of different sizes. Further still, the bearing arm that positions the

second bearing element may comprise different lengths to position the second bearing element at different locations relative to the cutting element, thereby facilitating a variety of different cuts and use with different blades as the situation may require.

5 The dual bearing hold down device may also be utilized in connection with a jointer, planer, shaper or router. In one embodiment, the dual bearing hold down device comprises a base plate that covers a substantial portion of the rotating cutting element, thereby eliminating any opportunity for the operator's hand to accidentally contact the cutting element.

10 A further embodiment of the present invention comprises an ant-kickback wheel. This device is contemplated primarily for use with table saws, but may also be used with other devices. In connection with table saws, the device includes a bracket or base designed to attach at or near the distal end of the guide fence with a wheel that rides on top of the work piece to provide pressure holding the work piece against the surface of the table saw and against the rip fence, greatly reducing the chance of kickback. The freely rotating wheel is  
15 adjustably positionable by a wheel bearing arm to accommodate work pieces of different thicknesses and widths and to apply adjustable pressure, as needed. The larger the diameter of the wheel, the more readily the wheel automatically engages and rides over the top of a work piece without the need for an operator to manually position the hold down wheel on the work piece, thereby eliminating the need for the operator's hand to be located near a rotating  
20 cutting instrument. The wheel bearing arm is also designed to move completely out of the way without having to dismount or disconnect the device from the equipment.

Another embodiment of the safety system comprises a device which is used with a miter saw and is designed to secure a work piece in a position to achieve an intended cut while protecting the operator's hand against injury. In one embodiment, the device is  
25 securable to the base or table of the miter saw. The device is rotatable about an axis in a plane generally parallel to the work surface or table surface of the saw. Securing means is provided to securely position the device in a desired position with respect to the saw and work piece. In a preferred embodiment, the device further comprises a planer body having an upper surface and a lower surface. The lower surface contacts the work piece and the  
30 upper surface is engaged by the user for applying downward pressure on the work piece. An upstanding safety wall is positioned on the upper surface for preventing or limiting a user's

reflexive or unintentional movement of his/her left hand into the cutting area. The lower surface may also comprise a subtending guide member that provides a second surface to engage and secure a work piece. The guide member prevents a work piece from translating or sliding laterally along the work surface away from the saw blade. In some embodiments, the device may further comprise one or more alignment plates for consistently orienting the device in a desired or aligned orientation relative to a fixed component of the saw, such as the guide fence or guide rail. In addition, in some embodiments, at least a portion of the lower surface of the securing member comprises friction or gripping means to enhance holding the work piece and prevent movement of a work piece relative to the device and the saw blade. Friction means include, but is not limited to, sandpaper, protrusions extending from the lower surface, knurled surfaces, adhesives, magnets, and various similar objects for gripping or engaging the work piece as will be recognized by one of ordinary skill in the art. The securing device is also provided with a positioning arm that extends away from the planer body in a direction generally away from the saw blade. A longitudinal slot is formed in the positioning arm and engages a threaded post secured to the base or frame of the saw, allowing the device to pivot about the post and be repositioned laterally along the work surface to accommodate work pieces of different shapes and sizes. Cylindrical spacers may be positioned on the threaded post, under the positioning arm to elevate the securing member relative to the work surface of the saw to accommodate work pieces of different thicknesses.

In addition, the miter saw hold down device enhances the ability to cut a work piece, including relatively small work pieces. Difficult and dangerous cuts not previously contemplated with a miter saw may be made easily and safely.

In alternative embodiments, each of the foregoing described components may be provided with visual or tactile safety indicia to indicate to a user that appendages, such as the user's hand and fingers, should not extend past a predetermined point or be positioned in a location other than as indicated. Indicia for use in the present invention include, but are not limited to, protrusions, indentations, markings, grooves, stepped features, text, symbols and similar features, as well as various combinations thereof.

These and other advantages will be apparent from the disclosure of the invention(s) contained herein. The above-described embodiments, objectives, and configurations are neither complete nor exhaustive. As will be appreciated, other embodiments of the invention

are possible using, alone or in combination, one or more of the features set forth above or described in detail below. Further, the summary of the invention is neither intended nor should it be construed as being representative of the full extent and scope of the present invention. The present invention is set forth in various levels of detail in the summary of the invention, as well as, in the attached drawings and the detailed description of the invention and no limitation as to the scope of the present invention is intended to either the inclusion or non-inclusion of elements, components, etc. in this summary of the invention. Additional aspects of the present invention will become more readily apparent from the detailed description, particularly when taken together with the drawings.

The Summary of the Invention is neither intended nor should it be construed as being representative of the full extent and scope of the present invention. Moreover, reference made herein to "the present invention" or aspects thereof should be understood to mean certain embodiments of the present invention and should not necessarily be construed as limiting all embodiments to a particular description. The present invention is set forth in various levels of detail in the Summary of the Invention as well as in the attached drawings and the Detailed Description of the Invention and no limitation as to the scope of the present invention is intended by either the inclusion or non-inclusion of elements, components, etc. in this Summary of the Invention.

## **BRIEF DESCRIPTION OF THE DRAWINGS**

The accompanying drawings, which are incorporated in and constitute a part of the specification, illustrate embodiments of the invention and together with the general description of the invention given above and the detailed description of the drawings given below, serve to explain the principles of these inventions.

Fig. 1A is a perspective view of a table saw with exemplary embodiments of component pieces of the safety system of the present invention. A work piece is shown in a pre-cut position.

Fig. 1B is a perspective view of the exemplary embodiment shown in Fig. 1A, further showing a work piece during cutting.

Fig. 1C is a perspective view of the exemplary embodiment shown in Fig. 1A, further showing the work piece following cutting.

Fig. 2 is a perspective view of an alternative embodiment of an exemplary safety system of the present invention.

Fig. 3 is a perspective view of a jointer with the exemplary embodiments of components pieces of the safety system of the present invention.

5 Fig. 4 is an exploded view of an exemplary embodiment of a dual bearing hold down device shown in Fig. 3.

Fig. 5 is a perspective view of a prior art jointer.

Fig. 6 is a perspective view of a further alternative embodiment of an exemplary safety system of the present invention.

10 Fig. 7 is a perspective view of one embodiment of a right hand push device, primarily intended for use with a table saw.

Fig. 8 is a top plan view of the embodiment of Fig. 7.

Fig. 9 is a left side plan view of the embodiment of Fig. 8.

Fig. 10 is a front plan view of the embodiment of Fig. 8.

15 Fig. 11 is a right plan view of the embodiment of Fig. 8.

Fig. 12 is a perspective view of an embodiment of a swing arm push device of the present invention, primarily intended for use with a jointer, router and/or shaper.

Fig. 13 is a top plan view of the embodiment of Fig. 12.

Fig. 14 is a left plan view of the embodiment of Fig. 13.

20 Fig. 15A is a front plan view of the embodiment of Fig. 12, further showing a work piece in phantom with a push bar in a horizontal position resting on top of the work piece.

Fig. 15B is a front plan view of the embodiment of Fig. 12, further showing the swing arm disengaging the trailing edge of a work piece (shown in phantom) as the work piece moves to the left.

25 Fig. 15C is a front plan view of the embodiment of Fig. 12, further showing the swing arm horizontally aligned with the trailing edge of the work piece (shown in phantom) to enable pushing of the work piece through a cutting zone.

Fig. 16 is a right plan view of the embodiment of Fig. 13.

30 Fig. 17 is a perspective view of one embodiment of a dual bearing hold down device according to the present invention.

Fig. 18 is a top plan view of the embodiment of Fig. 17.



Fig. 18A is a top plan view of an alternative embodiment of the embodiment of Fig. 18

Fig. 19 is a left plan view of the embodiment of Fig. 17, further showing a work piece in phantom.

5 Fig. 20 is a front plan view of the embodiment of Fig. 18.

Fig. 21 is a right plan view of the embodiment of Fig. 18, further showing a work piece in phantom.

Fig. 22A is a cross-sectional view taken along line 22A-22A of Fig. 18 and further showing one embodiment of a vertical hold down roller positioned on the top surface of a work piece being cut.

Fig. 22B is a cross-sectional view taken along line 22A-22A of Fig. 18, further showing the position of one embodiment of a vertical hold down roller following disengagement of a work piece being cut.

Fig. 23 is a perspective view of one embodiment of an anti-kickback device of the present invention.

Fig. 24 is a top plan view of the embodiment of Fig. 23.

Fig. 25 is a cross-sectional view taken along line 25-25 of Fig. 24.

Fig. 26 is a left plan view of the embodiment of Fig. 24.

Fig. 27 is a front plan view of the embodiment of Fig. 24.

20 Fig. 28 is a right plan view of the embodiment of Fig. 24.

Fig. 29A is a perspective view of one embodiment of a mounting plate of the present invention.

Fig. 29B is a perspective view of the embodiment of Fig. 29A, further showing one embodiment of a base plate of a dual bearing hold down device secured thereto by a lock down bolt.

Fig. 30A is a front plan view of the embodiment of Fig. 29A.

Fig. 30B is a front plan view of the embodiment of Fig. 29B.

Fig. 31 is a perspective view of an alternative embodiment of a mounting plate of the present invention.

30 Fig. 32A is a top plan view of the embodiment of Fig. 31.

Fig. 32B is a top plan view of the guide plate of Fig. 32A, further showing one embodiment of a base plate of a dual bearing hold down device secured thereto by a lock down bolt.

Fig. 33A is a front plan view of the embodiment of Fig. 32A.

5 Fig. 33B is a front plan view of the embodiment of Fig. 32B.

Fig. 34 is a perspective view of one embodiment of a left hand hold down device of the present invention.

Fig. 35 is a rear plan view of the embodiment of Fig. 34.

Fig. 36 is a side plan view of the embodiment of Fig. 34.

10 Fig. 37 is a perspective view of one embodiment of a lock down bolt of the present invention.

Fig. 38 is a top perspective view of one embodiment of a miter saw hold down device according to the safety system of the present invention.

15 Fig. 39 is an alternative top perspective view of the embodiment of the miter saw hold down device of Fig. 38.

Fig. 40 is a bottom perspective view of the hold down device of Fig. 38.

Fig. 41 is a top plan view of the hold down device of Fig. 38.

Fig. 42 is a side elevational view of the hold down device of Fig. 38.

Fig. 43 is an end elevational view of the hold down device of Fig. 38.

20 Fig. 44 is a bottom plan view of the hold device of Fig. 38.

Fig. 45 is a perspective view of the hold down device of Fig. 38 mounted to and used in combination with a miter saw.

Fig. 46 is a partial elevational view of one embodiment of a lock down mechanism for use with the miter saw hold down device of Fig. 38.

25 Fig. 47 is a perspective view of an alternative embodiment of an anti-kickback device.

Fig. 48 is a front elevation view of the anti-kickback device of Fig. 47 showing the hold down arm in two alternative positions.

Fig. 49 is a top plan view of the anti-kickback device of Fig. 47.

Fig. 50 is a partial top plan view of the anti-kickback device of Fig. 47 showing the first body member of a quick release positioning mechanism separated from the second body member.

Fig. 51 is a perspective view of the embodiment shown in Fig. 50.

5 While the following disclosure describes the invention in connection with those embodiments presented, one should understand that the invention is not strictly limited to these embodiments. Furthermore, one should understand that the drawings are not necessarily to scale, and that in certain instances, the disclosure may not include details which are not necessary for an understanding of the present invention, such as conventional  
10 details of fabrication and assembly.

### **DETAILED DESCRIPTION**

Embodiments of the safety system disclosed herein include multiple separate safety devices or components that can be used individually or in combination to enhance the safety  
15 of and reduce injuries to an operator of powered cutting tools. Figs. 1A through 1C depict a table saw 10 with exemplary embodiments of three component devices of the overall system of the present invention. These component pieces are a right hand push device 12, a dual bearing hold down device 14, and an anti-kickback device 16. However, while the dual bearing hold down device 14 is typically positioned in front of the cutting blade 18 and the  
20 anti-kickback device 16 is typically positioned following the cutting blade 18, they are not restricted to those physical locations and may be positioned adjacent or in close proximity to the cutting blade, on opposite sides of the cutting blade or at other locations selected by those of skill in the art for purposes of enhancing safety and/or facilitating use of the devices. Accordingly, the names of these components should not be viewed as limitations on the  
25 functionality of these component pieces, but are simply labels for purposes of distinguishing one component piece from the other. The right hand push device 12 is shown in greater detail in Figs. 7-11. The dual bearing hold down device 14 is shown in greater detail in Figs. 17-22B. The anti-kickback device 16 is shown in greater detail in Figs. 25-28.

30 One embodiment of a right hand push device 12 will now be described in greater detail. Referring to Figs. 7-11, the right hand push device 12 is a component piece designed to protect the right hand of an operator of a table saw, planer/jointer, router or other cutting

equipment. Figs. 7-11 illustrate use with a table saw 10. The right hand push device 12 comprises a horizontal plate 20 with an upstanding wall portion 22 that abuts a vertically adjustable safety wall 24. It further comprises a horizontally adjustable guide wall 26 with a horizontal portion 28 that abuts the lower surface 30 of the horizontal plate 20, and a handle 32. Vertical slots 34 are formed in the vertically adjustable safety wall 24 to receive threaded bolts 36 that extend from and are affixed to the vertically upstanding wall portion 22 of the horizontal plate 20. Nuts 38 or other securing members are affixed to the exposed end of the bolts 36 to secure the vertical adjustable safety wall 24 in a fixed position relative to the vertically upstanding wall portion 22 of the horizontal plate 20.

It should be appreciated that other ways of adjustably securing the safety wall to the horizontal plate will occur to those of skill in the art upon reading this disclosure and such methods are deemed to be within the scope of the present invention.

As is illustrated, the right hand push device 12 straddles the guide or rip fence 40 of the table saw 10 or any other cutting equipment. The straddled fit provides balance to the right hand push device. Preferably, the handle 32 is positioned on the horizontal plate 20 to be directly on top of the rip fence 40. This allows a wide variety of pressure to be applied by the operator without dislodging the right hand guide 12 from the rip fence. Slots 42 also are formed in the horizontal plate 20 to allow adjustable positioning of the guide wall 26 relative to the safety wall 24 to accommodate rip fences of different widths. Threaded bolts 44 or other securement means known to those of skill in the art extend from the horizontal portion 28 of the guide wall 26 through the slots 42 formed in the horizontal plate 20. Nuts 46 are tightened to secure the position of the guide wall 26 relative to the safety wall 24. As can be seen in Figs. 1A and 1B, by the operator placing his or her right hand on the handle 32 and advancing the right hand push device 12 along the rip fence 40 through the cutting zone of the table saw 10, the operator's right hand is located away from the cutting zone and, should the work piece kick or jump, the upper portion 48 of the safety wall 24 blocks the operator's hand from accidentally contacting the cutting blade 18. When not in use, the right hand push device 12 may mount on a post extending from the rip fence 40.

In addition, the lower edge 50 of the safety wall 24 comprises a series of stepped cut outs 52 designed to accommodate work pieces of different thickness. Each cut out comprises a horizontal surface 52h and a vertical surface 52v. Depending upon the thickness of a work

piece being cut, the appropriate cut out 52 is positioned such that the horizontal surface 52h rests on the top surface of the work piece to prevent vertical movement of the work piece during the cutting operation and the vertical surface 52v engages the trailing edge of the work piece to allow the operator to advance the work piece through the cutting zone by  
5 advancing the right hand push device 12 along the guide rail or rip fence 40 using the handle 32. It is preferred that the horizontal surfaces 52h have sufficient length to keep the work piece pushed down against the surface of the table throughout the entire cut.

In a preferred embodiment, the safety wall 24 has a width of no more than approximately 0.25-0.0375 inches to permit thin cuts while still fitting between the blade and  
10 rip fence. Making the device of aluminum, or other lightweight yet strong metal, allows the right hand push device to have a relatively thin width.

An alternative embodiment of the right hand push device 12 is shown in Figs. 12-15C. In this embodiment, the horizontal plate 20 and the horizontally adjustable guide wall 26 are identical to that of the prior embodiment. However, the vertically adjustable safety  
15 wall 24 is replaced with a safety wall 24' that is fixed in position relative to the horizontal plate 20. Instead of a series of stepped cut outs, this embodiment includes a rotatable swing arm pusher 54 that is secured to the safety wall 24' at a pivot point 56. As shown in the sequence of Figs. 15A-15C, the swing arm pusher 54 is designed to rotate 90 degrees from a horizontal position, where it rests upon the top surface of a work piece, through a vertical  
20 position shown in Fig. 15C, where it engages the trailing edge of a work piece. The bottom surface 58 of the swing arm pusher is rounded such that as the trailing edge of the work piece passes the bottom surface of the swing arm pusher 54, the swing arm pusher rotates to the position shown in Fig. 15C. Further advancement of the work piece through the cutting zone is accomplished by the operator advancing the work piece using the right hand push device  
25 12. A stop pin 60 is positioned at the top of the swing arm pusher 54 to engage the top surface 62 of the safety wall 24' and prevent the swing arm pusher 54 from rotating past the vertical position shown in Fig. 15C. To accommodate work pieces of different thicknesses, the safety wall 24' may include a plurality of apertures 64 generally vertically aligned to adjust the vertical position of the swing arm pusher 54 by relocating the pivot point to a  
30 different aperture. Fig. 2 illustrates a table saw 10 with this embodiment of the right hand

push device 12 positioned on the rip fence 40. The upper portion 48 of the safety wall 24' protects the operator's hand during cutting.

One embodiment of the dual bearing hold down device 14 is shown in Figs. 17-21. As shown, the dual bearing hold down device 14 comprises a base plate 66, including a slot 5 68 for adjusting its position relative to a mounting plate 70 secured to the cutting equipment. (See, Figs. 29A-33B.) A pair of upstanding posts 72A, 72B are positioned to one side of the base plate 66. A rotatable shaft 74 extends through the outer post 72A and inner post 72B. A bearing arm 76 is affixed to extends perpendicularly from one end of the shaft 74. A guide roller or vertical bearing 78 is positioned at the distal end of the bearing arm 76. A collar or sleeve 80 is positioned around the portion of the shaft 74 between the outer post 72A and 10 outer post 72B. A pair of bores 82, 84 are formed in the collar 80. The first bore 82 receives a lock bolt 86 to lock the position of the collar 80 relative to the shaft 74. The second bore 84 receives a limit/tension arm 88. One end of a tension spring 90 is affixed to the distal end of the limit/tension arm 88 and the opposite end of the spring 90 is attached to a post 92 or 15 other upstanding member affixed to the base plate 66. The tension spring 90 rotates the collar 90 and shaft 74 as one piece, provided the lock bolt 86 engages both pieces. A limit/tension arm stop 94 extends from one of the posts 72 to restrict or limit rotation of the collar 90 and shaft 74.

The dual bearing hold down device 14 further comprises a pivot arm 96 which pivots 20 about a pivot point affixed to the base plate 66. One end of the pivot arm 96 includes a horizontal hold down roller or horizontal bearing 98 that abuts a side surface of a work piece and holds the work piece against a guide rail 40. A stop 100 is affixed to and extends upwardly from the base plate 66 to restrict rotational movement of the pivot arm 96. A second tension spring 102 extends between a post 104 secured to the base plate 66 and a post 25 106 secured to the pivot arm 96. The two tension springs force the hold down rollers to engage and apply pressure against surfaces of the work piece to hold the work piece during cutting. Additional posts 104, 106 on the base plate 66 and on the pivot arm 96 are provided to allow repositioning of the spring 102 to adjust the tension applied to the pivot arm 96 and shaft 74. Figs. 19 and 21 illustrate engagement of a work piece or work piece by the vertical 30 hold down bearing 78 and horizontal hold down bearing 98. One of skill in the art will appreciate that the posts 104 and 106 may be located at other positions to accomplish the

same results, and will also appreciate that other known tensioning mechanisms may be substituted for the springs 90 and 102.

5 The function of the limit/tension arm stop 92 and the pivot arm stop 100 is to prevent the vertical hold down bearing 78 and/or horizontal hold down bearing 98 from contacting the blade or cutting tool, once the desired cut is completed. A principle is illustrated in Fig. 22A in association with making a dado cut. As shown, the vertical hold down bearing 78 engages the top of a work piece as the work piece is being cut by a saw blade. For a dado cut, the bearing 78 may sit directly above the blade 18. The limit/tension arm 76 is being pulled counterclockwise by the spring 90 to apply downward force on the upper surface of the work piece by the vertical hold down bearing 78. This prevents the work piece from kicking or jumping. As shown in Fig. 22B, when the tail end of the work piece moves past the vertical hold down bearing 78, the force applied by the tension spring 90 acts to move the limit/tension arm 76, collar, shaft and vertical hold down arm counterclockwise towards the cutting blade. However, the limit/tension arm stop 94 limits the rotation of this assembly and prevents the vertical hold down bearing 78 from coming in contact with the blade 18. The limit stop 94 may be adjusted either by repositioning it in different apertures formed in the inner post 72B or alternatively, by adjusting the position of the collar 80 relative to the shaft 74 using the lock bolt. Alternatively, the dual bearing hold down device 14 may be positioned such that the vertical bearing 78 is not positioned over the blade or, a shaft 74 with a longer length bearing arm 76 may be substituted. A longer bearing arm 76 will position the bearing roller away from the saw blade.

15 A triple bearing hold down device is shown in Fig. 18A. It is nearing identical to the dual bearing hold down device shown in Figs. 17-21, except that a second horizontal pivot arm 96' is affixed to the base plate 66. A horizontal hold down bearing 98' is affixed to the distal end of the second horizontal pivot arm 96' to engage a work piece in the same manner as the first horizontal pivot arm 96. An adjustable spring 102' interconnected between post 104' and the second horizontal arm 96' applies a biasing force to the second horizontal arm 96'. However, it is intended that the cutting instrument be positioned between the two horizontal hold down bearings 98 and 98'. In this way, the work piece is pushed against a rip fence or guide before and following the cutting of the work piece providing enhanced stability of the work piece and improved operator safety. The triple bearing hold down

device is preferably suited for use with a router, jointer or table saw used for dado cuts. Also, the shaft 74 is elongated in length compared to that shown in Fig. 18 to allow the vertical bearing 78 to be moved away from the base plate 66 to accommodate wider work pieces.

5           One embodiment of an anti-kickback device 16 is shown in Figs. 23-28. It operates in a similar fashion to the dual bearing hold down device 14. As shown in Figs. 1A-1C and 2, the anti-kickback device 16 is secured to or near the distal end of the rip fence or guide rail 40 of a table saw 10, planer (Fig. 3) or similar cutting tool. The anti-kickback device 16 comprises an inner post 108 with apertures 110 to allow the inner post 108 to be secured to  
10 the rip fence 40 using sheet metal screws or similar attachment members. An outer post 112 is disposed at a position spaced from and parallel to the inner post 108. A shaft 114 extends through apertures 116 in both the inner and outer post 108, 112. An arm 118 extends perpendicularly from one end of the shaft 114 and a vertical hold down roller 134 is positioned at the opposite end of the arm 118. A collar 120 surrounds that portion of the  
15 shaft that is positioned between the two posts 108, 112. The collar 120 includes a first aperture 122 to receive a lock bolt 86 which affixes the position of the collar 120 relative to the shaft 114. A limit/tension arm 124 extends from a second aperture 126 in the collar. The distal end of the limit/tension arm 124 is secured to one end of a tension spring 128. The opposite end of the tension spring 128 is secured to a post 130 affixed to the base plate 132  
20 of the jig as shown in Fig. 25. The position of the hold down roller 134 can be adjusted to correspond to the thickness of a work piece by adjusting the relative position of the collar 120 and shaft 114. The outer post 112 further includes a limit/tension arm stop 136 to limit rotation of the shaft 114, arm 124 and vertical hold down roller 134 to avoid contact between the roller 134 and the cutting blade 18 of the equipment. Potential contact between the  
25 vertical hold down roller 134 and the cutting blade 18 can also be avoided by repositioning the limit stop 136 into one of a plurality of other apertures 138 in the post 112 or by positioning the anti-kickback device 16 at a position laterally offset from the cutting blade as shown in Figs. 1A-2 in connection with a table saw 10, and as shown in Fig. 3 in connection with a planer 140.

30           As shown in Fig. 1A, as a piece of wood or work piece is initially positioned for advancement through the cutting zone of a table saw, the vertical hold down bearing or roller



78, 134 of both the dual bearing hold down device 14 and anti-kickback device 16, respectively, may not be in contact with the work piece. As the work piece is advanced, it will initially cause the vertical bearing 78 of the dual bearing hold down device 14 to rotate to a position on top of the work piece to hold the work piece down vertically as it advances through the cutting zone. Repositioning of the vertical bearing 78 to a position on top of the work piece applies the tension of the tension spring 90 to the work piece to assist in the vertical bearing 78 applying necessary pressure to the top surface of the work piece during the cutting operation. Simultaneously, the horizontal bearing 98 applies inward pressure against the side of the work piece to secure the work piece against the side wall of the rip fence 40. As the work piece further advances through the cutting zone, as shown in Fig. 1B, the leading edge of the work piece passes underneath the vertical hold down roller 134 of the anti-kickback device 16 such that the work piece is now secured on both sides of the cutting zone. Movement of the vertical hold down roller 134 to a position on top of the work piece applies the tension in the tension spring 128 to the work piece to cause the vertical hold down roller 134 to apply a necessary force to the work piece to prevent undesired kicking and jumping during the cutting operation. Regardless of the thickness of the work piece, the pressure applied by the tension springs 78 and 134 remains constant. As shown in Fig. 1C, following complete cut of the work piece, the vertical hold down roller 134 of the anti-kickback device 16 still secures the work piece, prevents kickback and prevents the work piece from falling to the floor and being damaged. The larger the diameter of the roller 134, the more likely it is that the roller 134 will automatically reposition itself to the top of the work piece. It is certainly not desirable for the operator to reach past the active cutting tool for purposes of repositioning a hold down device. In a preferred embodiment, each bearing 78 and 134 have a diameter of at least three inches, and preferably about four inches, which will accommodate work pieces of less than 0.25 to approximately 1.50 inches in thickness.

The dual bearing hold down device 14 may be attached to a table saw 10 through use of a mounting plate 70 shown in Figs. 31-33B. The mounting plate comprises a channel bracket 142 designed to fit within the channel 144 on the upper surface 146 of the table of the table saw 10, illustrated in Figs. 1A-2. A pair of parallel outer guide walls 148 are affixed to the channel bracket 142 and, when connected to the table, rest upon the surface 146 of the table with the channel bracket 142 positioned within the channel 144. An aperture 150 is

formed in the channel bracket 142 to provide a means of securing the channel bracket 142 to the table and the hold down device 14 to the mounting plate 70. As shown in Figs. 32B and 33B, the base plate 66 of the dual bearing hold down device 14 nests between the outer guide walls 148 of the mounting plate 70 and is adjustably positionable relative to the guide walls 148 (see arrows in Fig. 32B). Thus, as illustrated in Figs. 1A-1C, the base plate 66 of the dual bearing hold down device 14 may be moved towards or away from the rip fence 40 to accommodate work pieces of different widths. Once the position of the base plate 66 is selected, its position may be locked down relative to the table surface 146 by use of a lock bolt 147 positioned in a vertical slot 68 formed in the base plate 66 and secured through the aperture 150 in the channel bracket 142. This is illustrated in Fig. 33B. An embodiment of the lock bolt 152 is shown in Fig. 37. With the dual bearing hold down device 14 in place, repetitious cutting of the identified work pieces may be accomplished without repositioning of the device 14.

A different mounting plate, for use with a planer or jointer 140, is shown in Figs. 29A-30B. Here, the mounting plate 70 is connected to the surface of the jointer 140 and two parallel upstanding guide walls 154 are formed at the outer edges of the mounting plate 70. Apertures 150 are formed in the mounting plate 70 to receive screws or fasteners to secure the mounting plate 70 to the table of the jointer 140. Another aperture receives a lock bolt 147 to secure the base plate 66 relative to the mounting plate 70. As shown in Fig. 29B, the base plate 66 of the dual bearing hold down device 14 is then positioned between the outer guide walls 154 to allow it to be adjustably positioned relative to the guide wall or rip fence 40 of the planer. See, Fig. 3. In one embodiment, when the dual bearing hold down device 14 is used with a jointer/planer 140, the mounting plate 70 is secured to the surface of the table 146 and positions the base plate 66 of the hold down device 14 at an elevated position directly above the cutting blade (unlike the positioning typically used with a table saw). As a result, the base plate 66 of the hold down device 14 may be positioned above and cover a large portion of the cutting blade, thereby preventing the operator's hand from contacting the blade.

A typical jointer/planer 140 is shown in Fig. 5. A rotatable safety plate 156 covers the rotating blade and pivots out of the way as a piece of wood is moved through the cutting zone. However, if an operator's hand were to slip and move into the cutting zone, the safety

plate would simply move away as it would with a piece of wood, and nothing would inhibit or prevent the operator's hand from coming in contact with the rotating blade. Embodiments of the present invention substantially reduce this risk.

5 A left hand hold down device 158 is shown in Figs. 6 and 34-36. The left hand hold  
down device 158 may replace the dual bearing hold down device 14 in connection with  
operating a table saw. The left hand hold down device comprises a base 160 which is  
pivotaly connected to a channel bracket 162. The channel bracket 162 rides within the  
channel 144 formed in the upper surface 146 of the table of a table saw 10. The channel  
bracket 162 may comprise different shapes than the rectangular shape shown in the figures  
10 provided it functions to maintain the position of the left hold down device relative to the  
table. The leading edge of the left hand hold down guide includes a series of stepped or  
staggered surfaces 164 to accommodate work pieces of different thickness. A handle 166 is  
formed on the upper surface 168 of the base 160 and a safety wall 170 is formed at the  
forward edge of the base 160. In operation, as shown in Fig. 6, the channel bracket 162 sits  
15 within the channel 144 and allows the left hand work piece device 158 to slide within the  
channel 144 and rotate relative to the channel bracket 162. A lock bolt 147 is positioned and  
secured to the channel 144 to prevent advancement of the left hand hold down device 158  
into the cutting zone such that there is no contact between the left hand device 158 and the  
cutting blade. The stepped surface 164 provides both a horizontal surface 164 to hold down  
20 a work piece and a vertical surface 164 to press the work piece against the rip fence as the  
work piece is advanced through the cutting zone. The left hand work piece device 158 may  
pivot or rotate relative to the channel bracket 142 to accommodate work pieces of different  
widths. In a preferred embodiment, the stepped surfaces 164 are rounded or semi-circular in  
profile to maintain constant contact with the work piece at any orientation of the left hand  
25 hold down device 158 allowing the tool to rotate while the work piece moves through the  
cutting zone.

Referring now to Figs. 38-46, an adjustable safety and securing device 170 primarily  
for miter saws according to various embodiments of the present invention is shown.

30 Fig. 45 is a perspective view of an embodiment of the hold down device 170 mounted  
on a miter saw 172. Figs. 38-40 are perspective views of one embodiment of the miter saw  
hold down device 170. The hold down device 170 comprises a planer body 174, an upper

surface 176 and a lower surface 178. As best shown in Figs. 38 and 41, an alignment plate 180 is adjustably secured to the planar body 174 by alignment screws 182, positioned in adjustment slots, and squarely aligns the planar body 174 with the guide rail 184 of the saw 172. As shown in Figs. 42-44, guide member 186 extends from the lower surface 178 and provides a guide surface 188 which abuts and assists in aligning the work piece for a desired cut. The guide member 186 comprises a substantially straight edge or surface for contacting a work piece. The guide member 186 prevents the work piece from rotating or moving laterally away from the saw blade while the surface 178 prevents the work piece from moving upwardly relative to the table surface and the guide rail 184 prevents the work piece from moving longitudinally in the direction of the saw blade. The alignment plate 180 can be positioned such that the guide surface 188 of the guide member 186 is parallel to the blade, or it may be positioned such that the guide surface 188 is positioned at a desired angle relative to the blade to make a particular cut.

As shown, the hold down device 170 is secured in place relative to the saw and is positioned such that safe cutting of the work piece is enabled. The hold down device 170 comprises lock means 190 for securing one end of the hold down device 170 to the base or frame 192 of the saw by means of a threaded post 194 secured to the frame 192 and extending through a slot 196 formed in a positioning arm 198. The lower surface 178 of the hold down device 170 rests on an upper surface of the work piece and the guide member 186 is provided on the lower surface 178 such that one edge or surface of the work piece is aligned with and engaged by the rigid member 186. The alignment member 180 is used to align the guide member 186 parallel to the saw blade when the saw blade is positioned at 90 degrees, or at a different angle as may be desired. The hold down device 170 further comprises a safety wall 200 extending upwardly and generally perpendicular to the upper surface 176 of the planar body 174. The safety wall 200 prohibits a user's hand or fingers from contact with the saw blade should the user's hand slip or the work piece kick back.

When the hold down device 170 is aligned to a desired position, the work piece may be secured by applying a downward force upon the upper surface 176 of the hold down device by the operator's left hand to limit or prevent movement of the work piece and the hold down device. As shown in Fig. 44, at least a portion of the lower surface 178 of the hold down device 170 is provided with non-slip material 202, such as sandpaper or rubber, to

engage the work piece and limit movement of a work piece. Any number of materials and features including, but not limited to rubber, knurled features, protrusions, etc. may be provided to assist in gripping the work piece.

5 Use of the hold down device significantly improves the versatility of a miter saw, allowing it to make precise cuts on relatively small work pieces that would previously not be attempted. Cutting a relatively small sized work piece would normally place the operator's hand dangerously close to the saw. However, the present embodiment removes these concerns and protects the operator's hand and fingers. In order to make second or additional cuts, or cuts of a different orientation, including cuts of small work pieces, the saw and/or the hold down device 170 may be re-orientated. For example, the hold down device 170 may be 10 angled with respect to the saw blade and/or the guide fence 184. This may be accomplished, for example, by loosening the lock means 190, angularly adjusting the hold down device 170, and re-securing the lock means 190. The hold down device 170 may also be translated laterally along a path defined by the slot 196 to move the device 170 away from or closer to 15 the blade. As shown in Fig. 45, the position of the hold down device 170 may be adjusted to accommodate work pieces of different thicknesses. Spacers 204 may be positioned on the threaded post 194 below the positioning arm 198. A washer 206 may be positioned underneath the lock nut 208 to provide a better grip for the lock nut 208.

In yet a still further embodiment, a handle may be located in the upper surface 176 to 20 further assist a user in applying force for securing and/or moving the hold down device 170. For example, it is contemplated that a joy-stick-type handle or protrusion be provided projecting upwardly from the upper surface 176. Such a handle is provided for both indicating a safe location for a user's hand(s), as well as facilitating the application of force through an ergonomic feature.

25 Among the various advantages and benefits of the miter saw hold down device, including the aforementioned safety advantages, is the ability to produce a series of cuts at varying angles, even where the length of such cuts is/are small. The present invention provides a device which allows for freedom of angular movement of a work piece in additional to angular adjustment features provided by a known device, such as a miter saw, 30 thereby vastly improving the versatility of a miter saw.

Figs. 47-51 disclose an alternative embodiment of an anti-kickback device 16. The embodiment described in connection with Figs. 23-28 remains essentially the same, but a quick release positioning mechanism 220 has been added. The quick release positioning mechanism 220 is positioned between the shaft 114 and arm 118. The quick release positioning mechanism 220 comprises a first body member 222 affixed to a portion of the shaft 114. In this embodiment, the first body member 222 is disk shaped, although other shapes may be used as will be appreciated by those skilled in the art. The shaft 114 extends through a center aperture in the first body member 222 and terminates in an enlarged end or cap 224. The first body member 222 is fixed to and moves with the rotation of the shaft 114. The quick release positioning mechanism 220 further comprises a second body member 226. In this embodiment, the second body member 226 is block shaped and includes a center aperture through which the shaft 114 also extends. Unlike the first body portion 222, the second body portion 226 is not secured to the shaft 114 other than by virtue of the shaft extending through an aperture in the second body portion 226. The arm 118 is secured to the second body member 226 by a pair of screws or by other means known to those of skill in the art.

As shown in Figs. 50, 51, the second body member 226 includes a plurality of pins 228 that extend laterally out of the second body member 226 and engage receptively configured apertures 230 in the first body member 222. When the pins 228 are secured in the apertures 230, the shaft 114 and arm 118 move in unison. A spring 232 positioned between the arm 118 and cap 224 force the second body member 226 toward the first body member 222. In this manner, the pins 228 remain engaged within the apertures 230 and the first and second body members are secured together and move in unison. If it is desired to position the hold down wheel 134 at a position spaced from the work piece and out of the way, the second body member 226 is moved laterally outwardly against the force of the spring 224 to remove the pins 228 from apertures 230. The second body member 226, arm 118 and wheel 134 are then rotated upwardly until the pins 228 align with apertures 234. The pins 228 are then nested in the apertures 234 by the action of the spring 232 to hold the arm 118 and hold down wheel 134 in a position spaced from the work piece and out of the way.

The foregoing discussion of the invention has been presented for purposes of illustration and description. The foregoing is not intended to limit the invention to the form or

forms disclosed herein. In the foregoing Detailed Description for example, various features of the invention are grouped together in one or more embodiments for the purpose of streamlining the disclosure. This method of disclosure is not to be interpreted as reflecting an intention that the claimed invention requires more features than are expressly recited in each claim. Rather, as the following claims reflect, inventive aspects lie in less than all features of a single foregoing disclosed embodiment. Thus, the following claims are hereby incorporated into this Detailed Description, with each claim standing on its own as a separate preferred embodiment of the invention.

While various embodiments of the safety system present invention have been described in detail, it is apparent that modifications and alterations of those embodiments will occur to those skilled in the art. However, it is to be expressly understood that such modifications and alterations are within the scope and spirit of the present invention. In addition, it should be understood that the drawings are not necessarily to scale. In certain instances, details that are not necessary for an understanding of the invention or that render other details difficult to perceive may have been omitted. It should be understood, of course, that the invention is not necessarily limited to the particular embodiments illustrated herein. Other modifications or uses for the present invention will also occur to those of skill in the art after reading the present disclosure. Such modifications or uses are deemed to be within the scope of the present invention.

What is claimed is:

1. An anti-kickback safety device adapted for use with a powered cutting tool, the power cutting tool having a planer work surface, comprising:
  - a. A frame adapted to be secured to the cutting tool;
  - b. A hold down arm pivotally connected to the frame and extending outwardly from the frame, the hold down arm having a proximal end and a distal end;
  - c. Bearing means disposed at the distal end of the hold down arm; and
  - d. Biasing means applying a force to the proximal end of the hold down arm to push the bearing means in a vertical downward direction.
2. The anti-kickback device of claim 1, wherein the biasing means comprises a shaft rotatably interconnected with the frame, with one end of the shaft interconnected to the proximal end of the hold down arm, and a spring operatively associated with the shaft to apply a rotational biasing force to the shaft.
3. The anti-kickback device of claim 2, further comprising a rotatable collar surrounding a length of the shaft, the collar secured to the shaft and the spring secured to the collar.
4. The anti-kickback device of claim 3, wherein the position of the collar relative to the shaft is adjustable to alter the length of the spring and the biasing force applied by the spring.
5. The anti-kickback device of claim 1, wherein the bearing means comprises a roller.
6. The anti-kickback device of claim 2 further comprising a stop member associated with the frame to define one limit of the rotational position of the shaft and define the closest distance the bearing means is from the work surface of the power cutting tool.
7. The anti-kickback device of claim 6, wherein the position of the stop member is adjustable to thereby alter one limit of the rotational position of the shaft and the closest distance the bearing means is from the work surface of the power cutting tool.
8. The anti-kickback safety device of claim 1, further comprising:
  - a. A second hold down arm pivotally connected to the frame, the hold down arm having a first end and a second end;



- b. Second bearing means disposed at the second end of the second hold down arm; and
- c. Second biasing means applying a force to the second hold down arm to rotate the bearing means in a horizontal plane.

9. The anti-kickback device of claim 8, wherein the second biasing means comprises a second spring interconnected between the second hold down arm and the frame to apply a rotational biasing force to the second hold down arm.

10. The anti-kickback device of claim 9, further comprising a stop member associated with the frame to define one limit of the rotational position of the second hold down arm.

11. The anti-kickback device of claim 9, wherein at least one of the second hold down arm and frame comprise multiple interconnection points for the second spring to allow adjustment of the length of the second spring.

12. The anti-kickback device of claim 8, further comprising adjustment means associated with the frame to permit the position of the frame to be adjusted relative to the work surface of the powered cutting tool to accommodate work pieces of different sizes.

13. The anti-kickback device of claim 8, further comprising:

- a. A third hold down arm pivotally connected to the frame, the hold down arm having a first end and a second end, the third hold down arm spaced from the second hold down arm;
- b. Third bearing means disposed at the second end of the third hold down arm and positioned to apply a force to the same surface of a work piece as the second bearing means; and
- c. Third biasing means applying a force to the third hold down arm to rotate the bearing means in a horizontal plane.

5

14. A method of reducing the likelihood of kickback of a work piece undergoing a cutting operation by a powered cutting tool, the cutting tool defining a cutting zone as the area proximate a cutting instrument, the method comprising:

5

a. Mounting a vertical hold down device to the powered cutting tool, and using the vertical hold down tool to apply a vertically downward force to a work piece; and

10

b. Mounting a horizontal hold down device to the powered cutting tool, and using the horizontal hold down device to apply a horizontal force to the work piece simultaneous with the application of the vertically downward force applied by the vertical hold down device.

15. The method of claim 14, wherein the vertically downward force is applied in the area of the cutting zone or in the area following the cutting zone.

16. The method of claim 14, wherein the horizontal force is applied in the area preceding the cutting zone.

17. The method of claim 14, wherein either or both of the vertically downward force and the horizontal force are adjustable.

18. The method of claim 14, wherein the vertical hold down device comprises an adjustably positionable vertical hold down arm pivotally connected to a frame and a bearing means disposed at the distal end of the hold down arm, further comprising setting the position of the bearing means relative to the thickness of a work piece.

19. The method of claim 14, further comprising covering a portion of the cutting instrument.

20. The method of claim 19, wherein covering a portion of the cutting instrument comprises providing a frame to which the vertical and horizontal hold down devices are attached, and attaching the frame to the powered cutting tool in a manner that covers a portion of the cutting instrument.

## ABSTRACT

A system of safety devices is disclosed for use in connection with powered cutting tools, including but not limited to table saws, miter saws, jointers, shapers and routers. The devices include a right hand push device adapted to slide along the fence of a table saw, shaper, router or jointer, a dual bearing hold down device to secure a work piece in at least three directions and adapted for use with a table saw, shaper, router or jointer, an anti-kickback device to secure a work piece after a cut is made and while cutting continues and adapted for use with a table saw, shaper, router or jointer, a left hand hold down device for securing a work piece on the side of a cutting blade opposite that of a fence and adapted for use with a table saw, shaper, router or jointer, and a hold down device adapted for use with miter saws. Each of the devices, alone and in combination, protect the operator of the power tools from serious injury from the cutting tool and from work piece kickback.



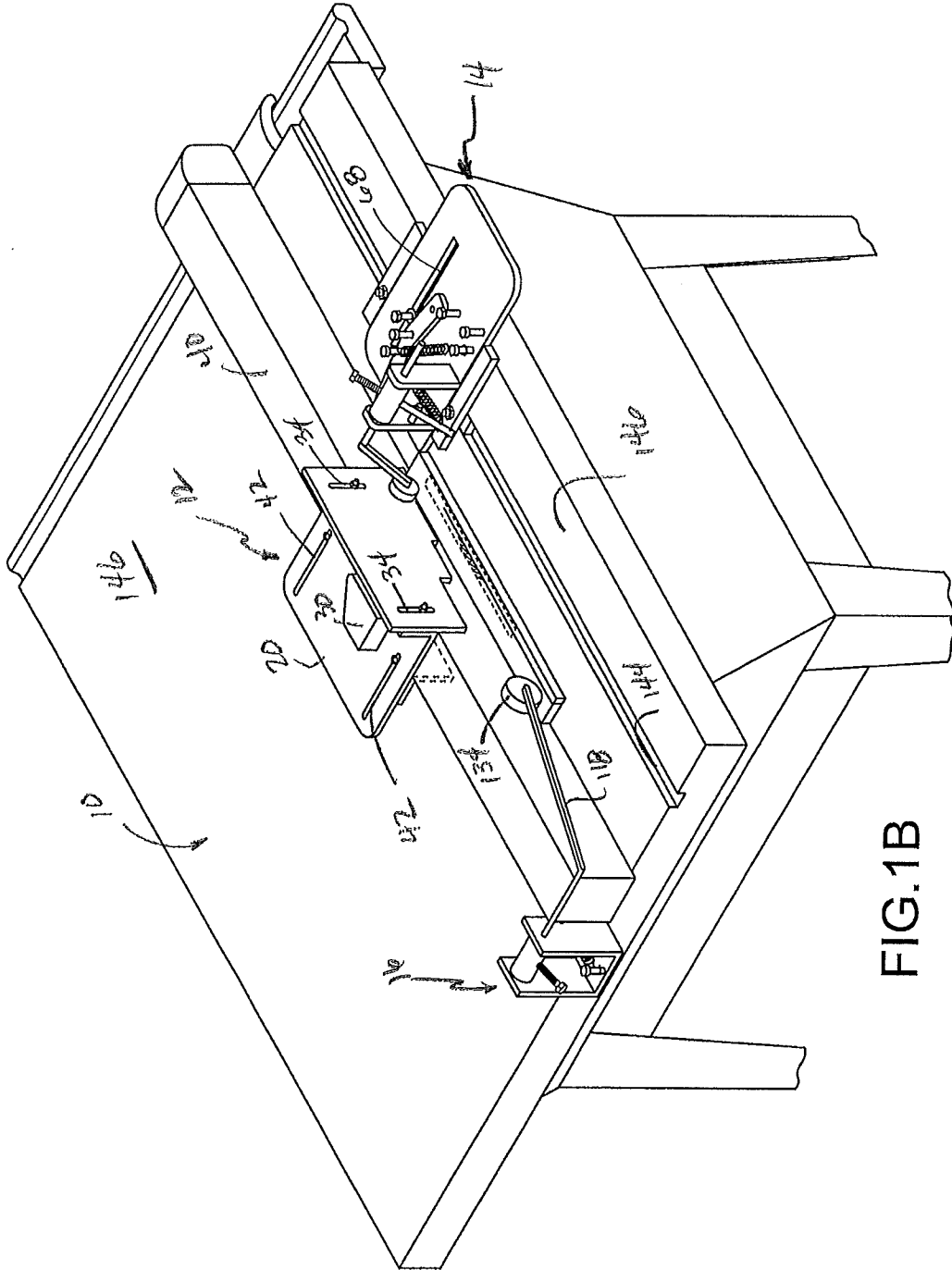
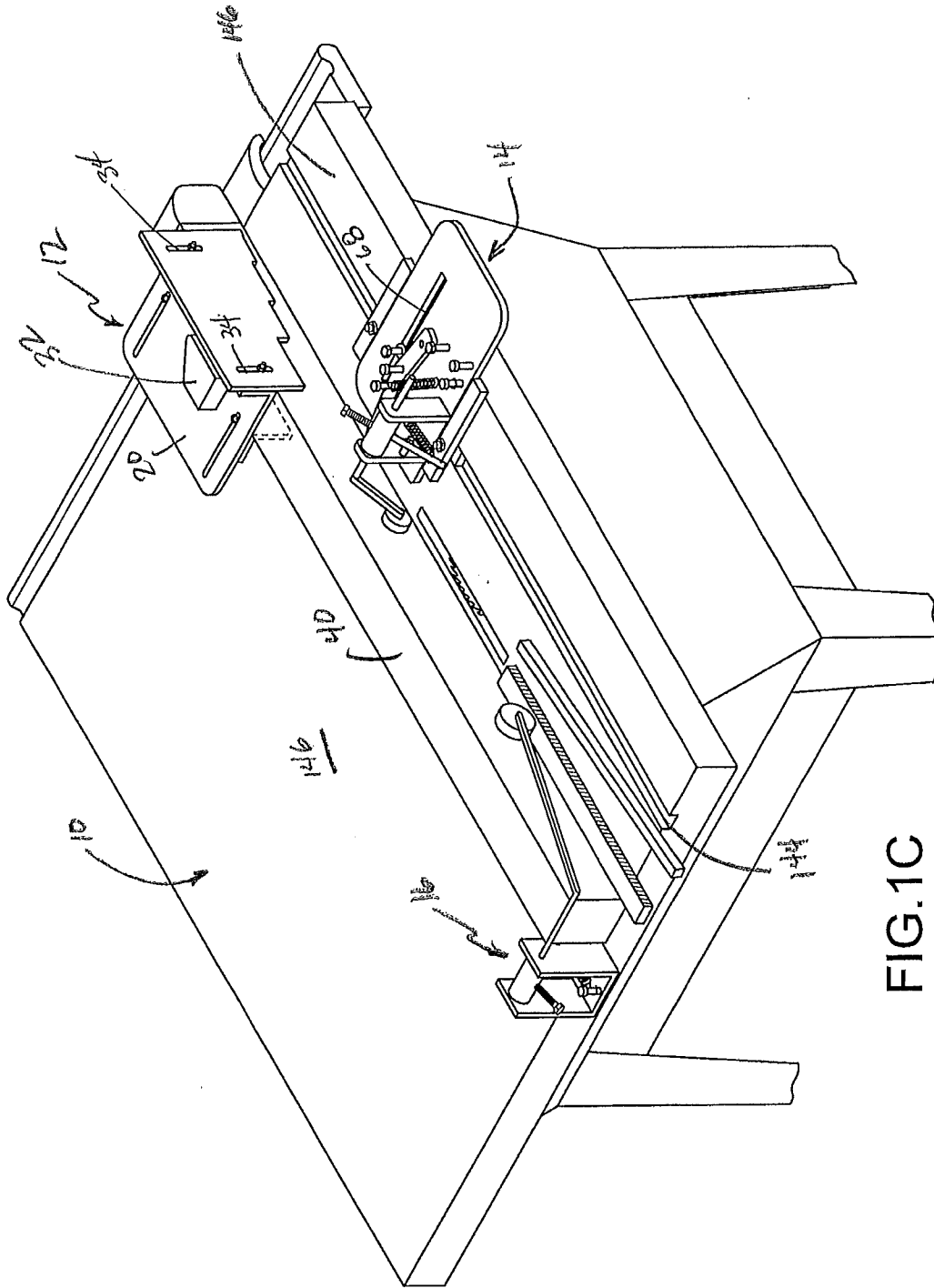


FIG.1B





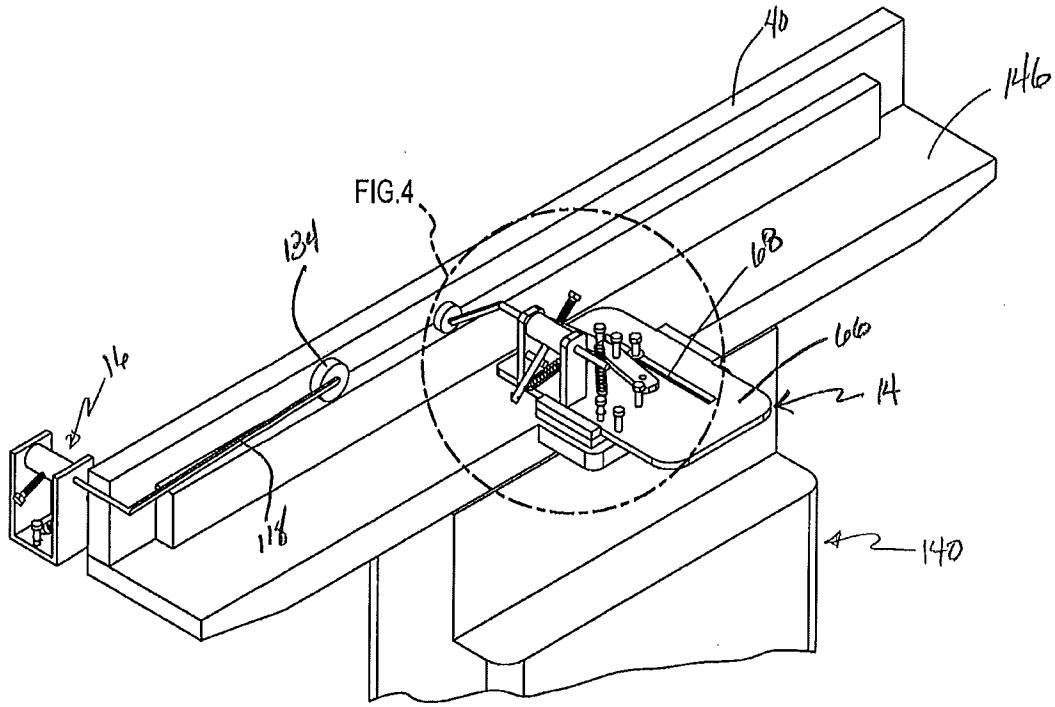


FIG. 3



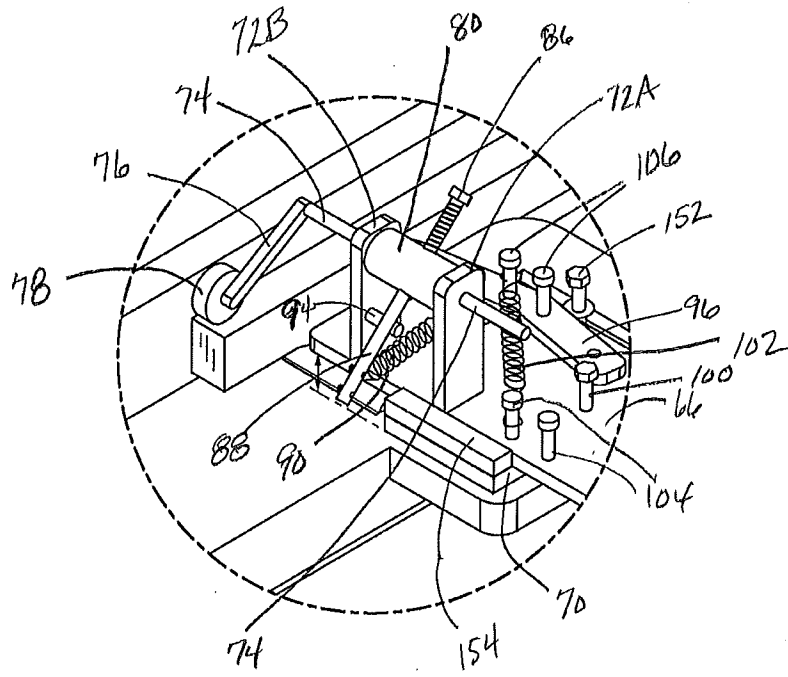
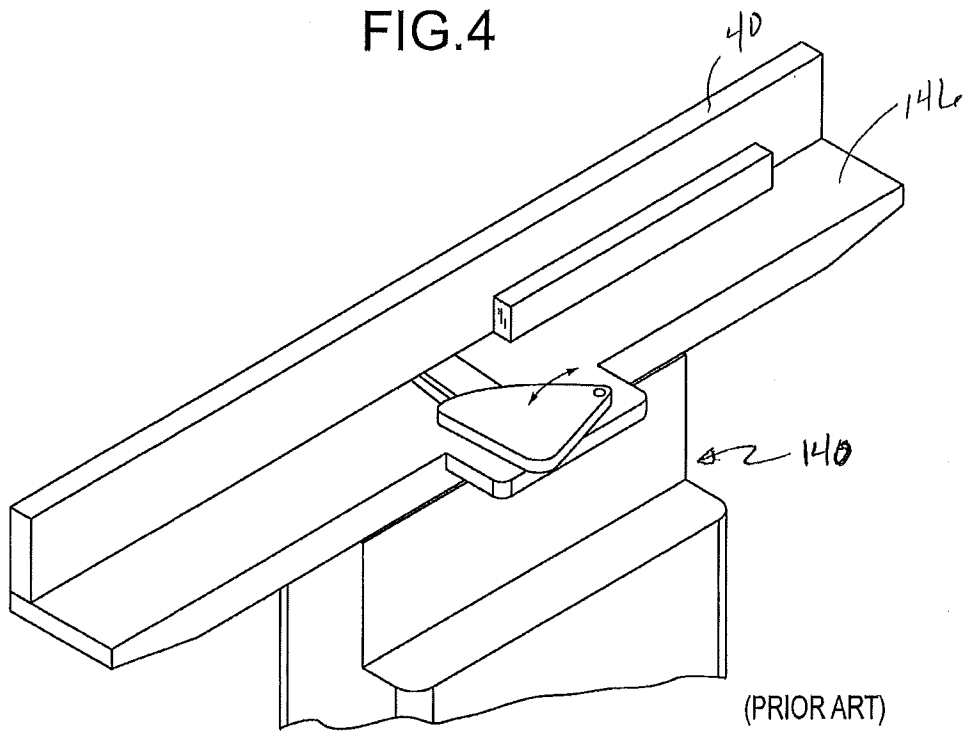


FIG.4



(PRIOR ART)  
FIG.5

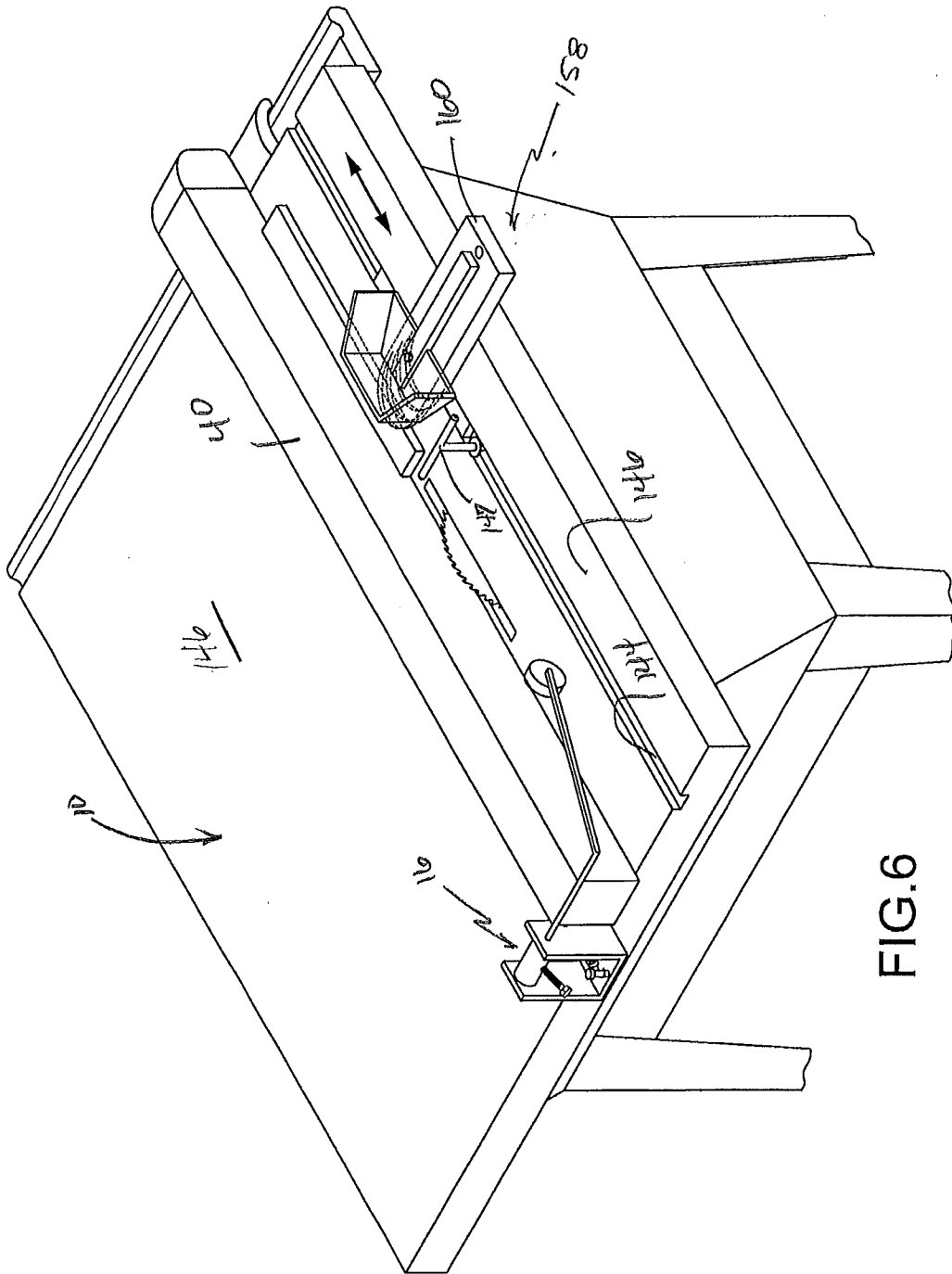
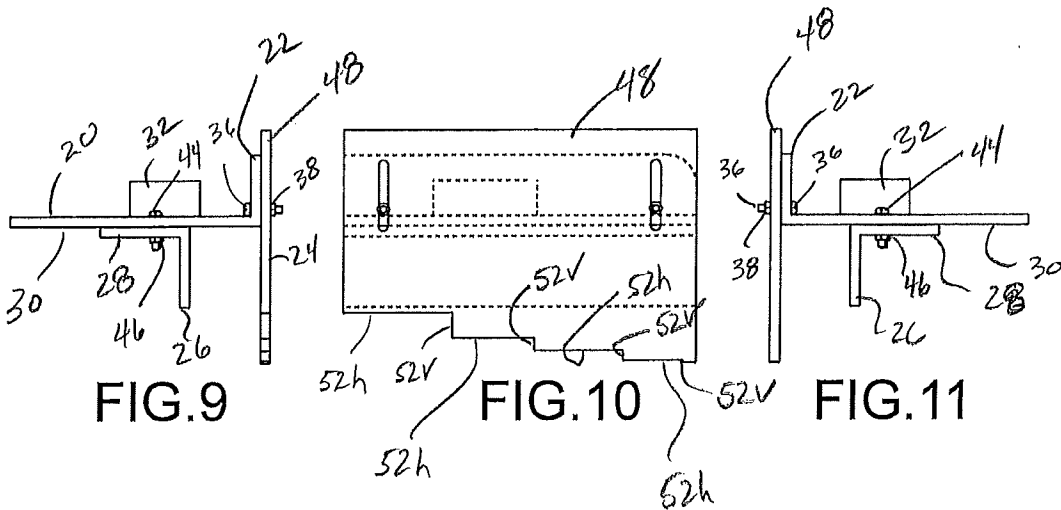
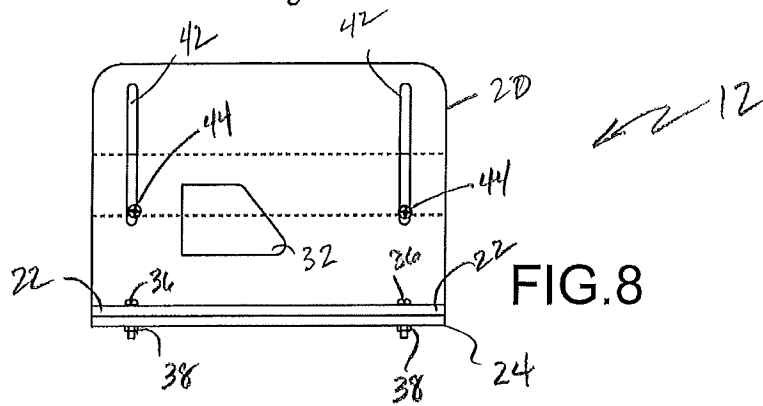
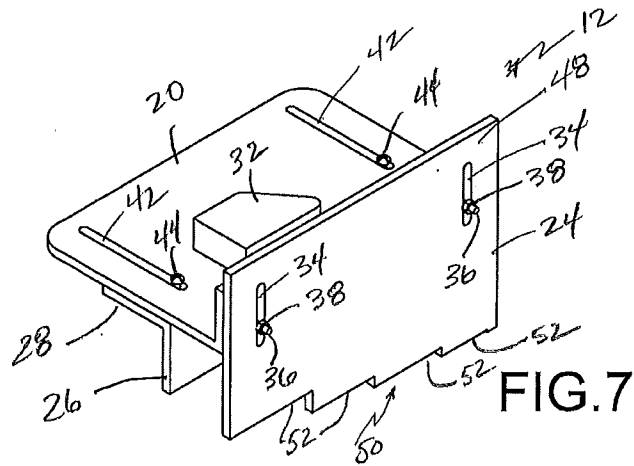


FIG.6



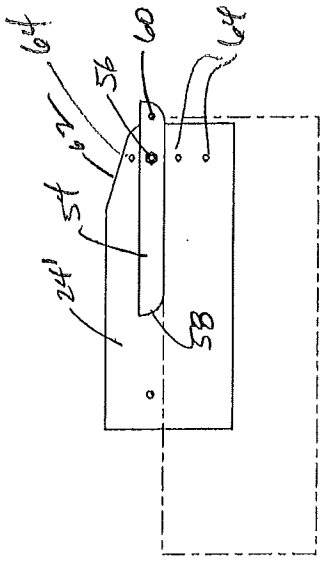


FIG. 15A

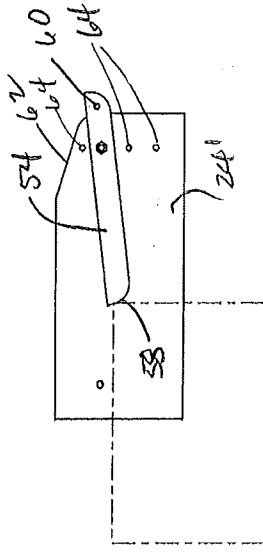


FIG. 15B

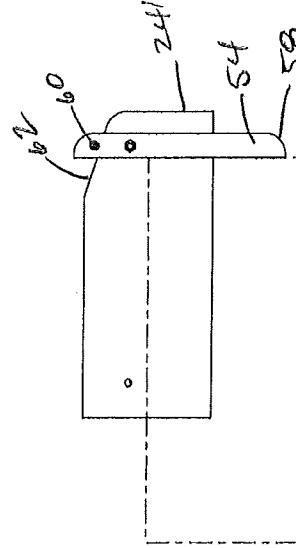


FIG. 15C

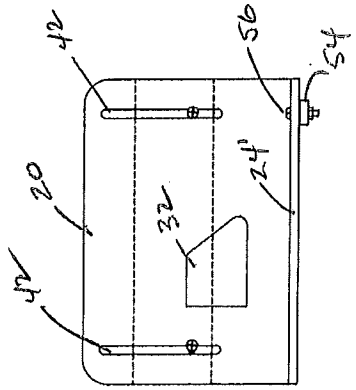


FIG. 13

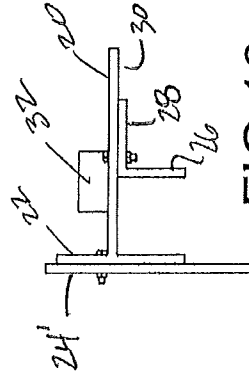


FIG. 16

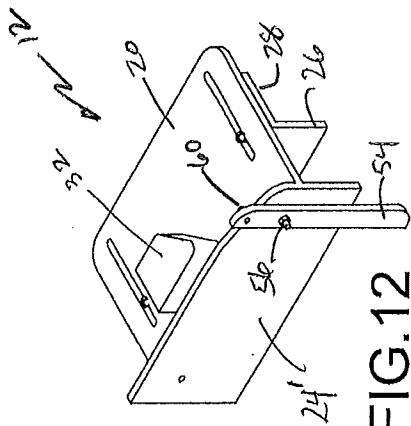


FIG. 12

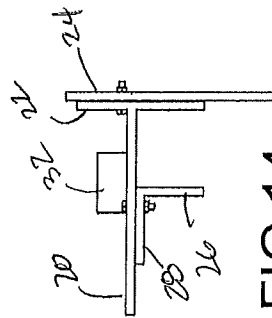


FIG. 14

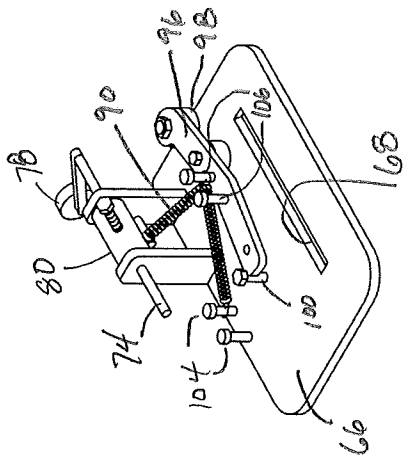


FIG. 17

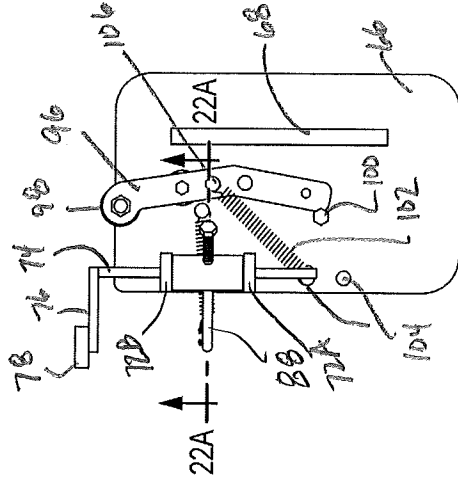


FIG. 18

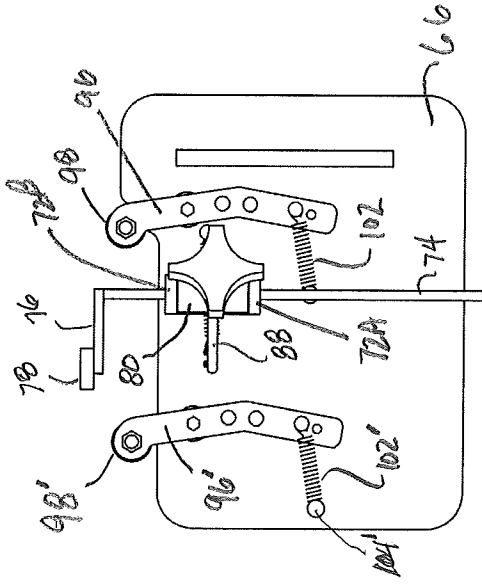


FIG. 18A

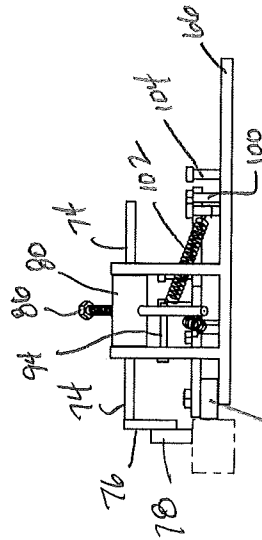


FIG. 19

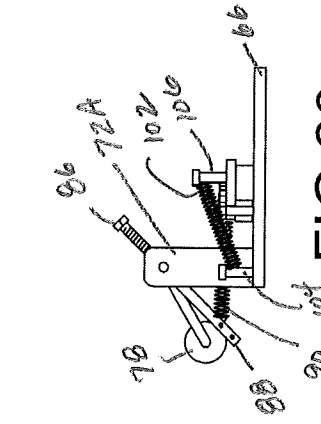


FIG. 20

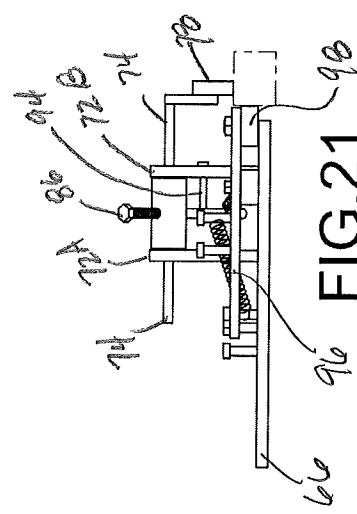


FIG. 21

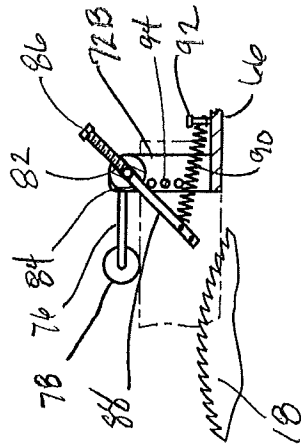


FIG. 22A

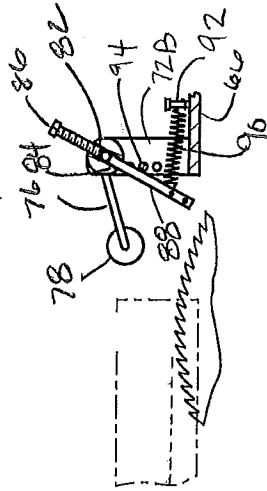


FIG. 22B

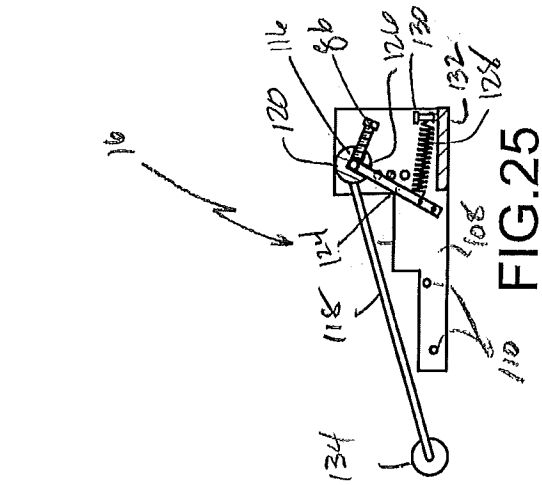


FIG. 23

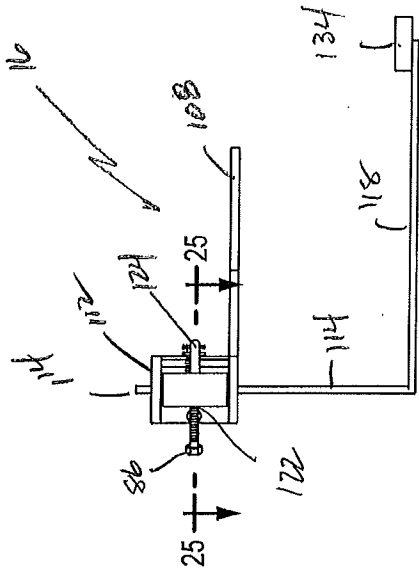


FIG. 24

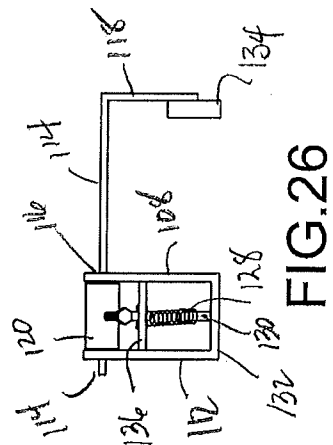


FIG. 25

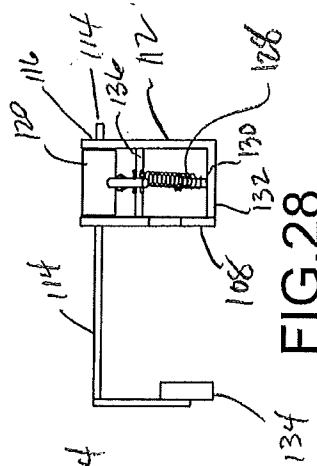


FIG. 26

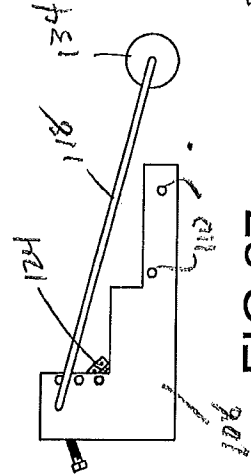


FIG. 27

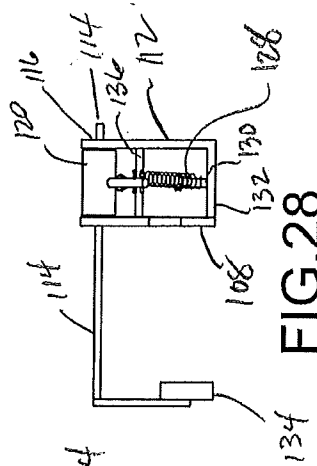


FIG. 28

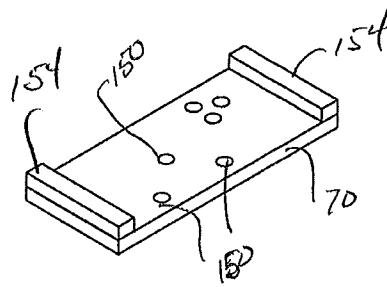


FIG. 29A

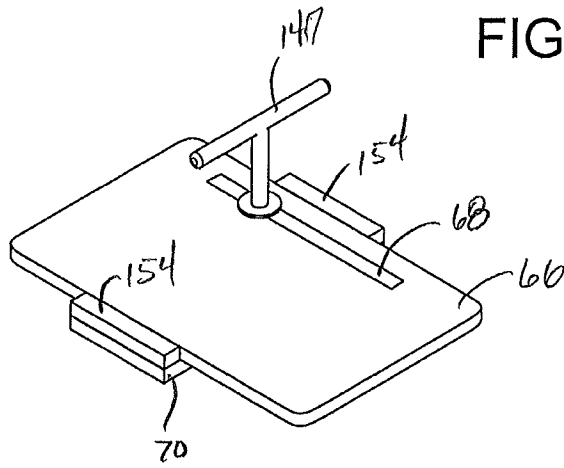


FIG. 29B

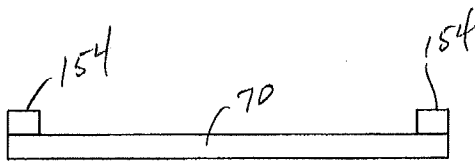


FIG. 30A

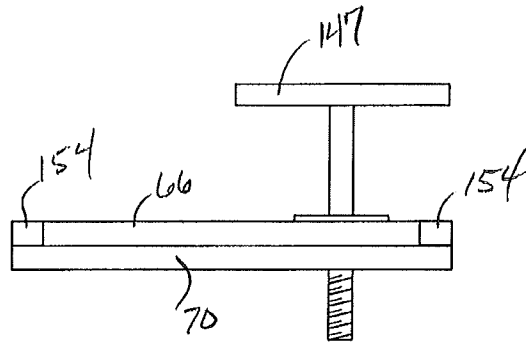


FIG. 30B



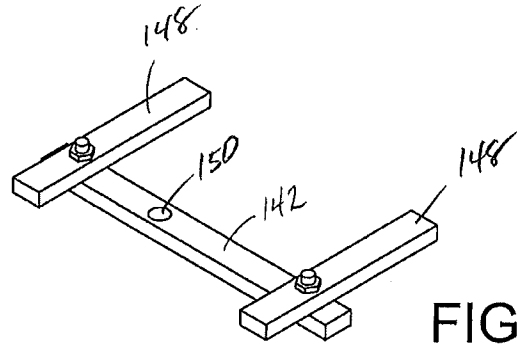


FIG. 31

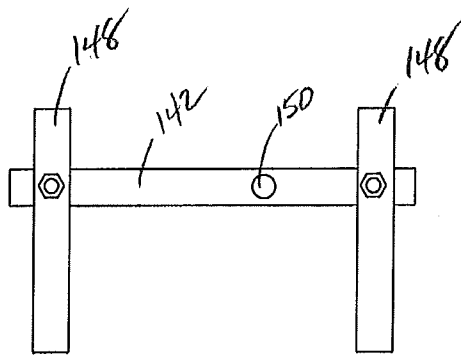


FIG. 32A

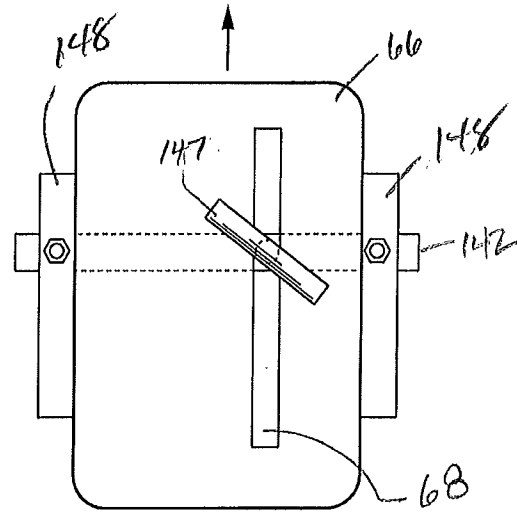


FIG. 32B

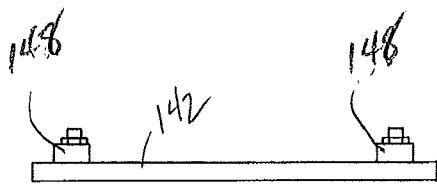


FIG. 33A

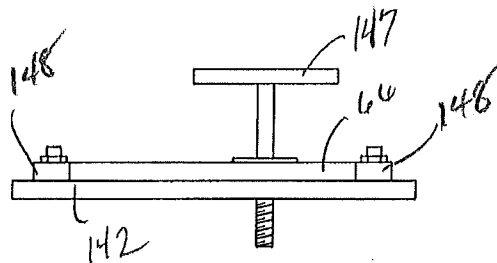
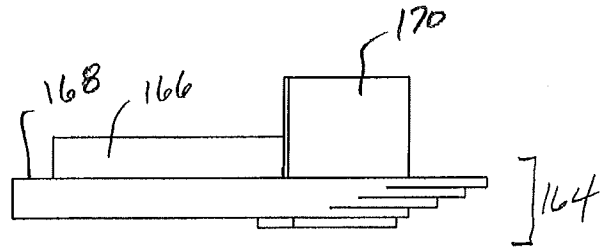
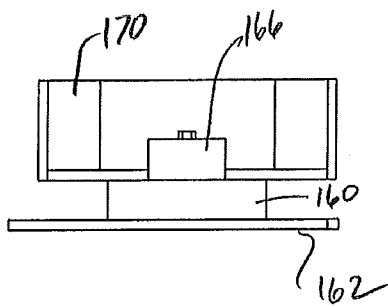
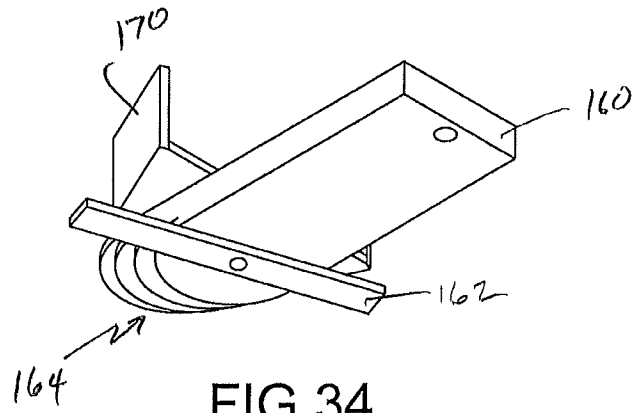


FIG. 33B



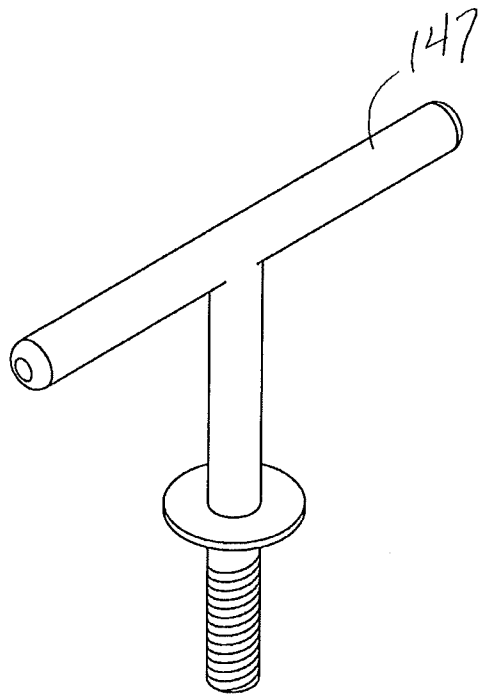


FIG.37

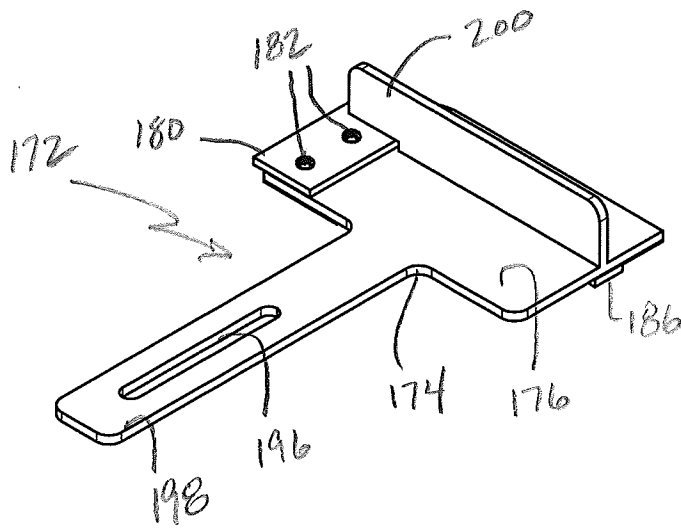


FIG. 38

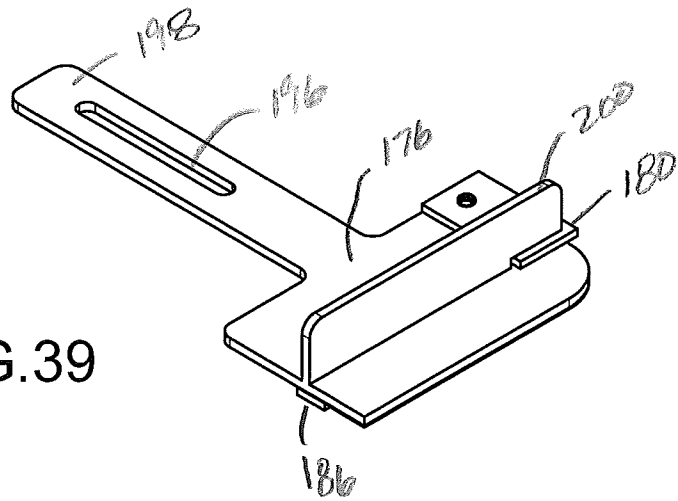


FIG. 39

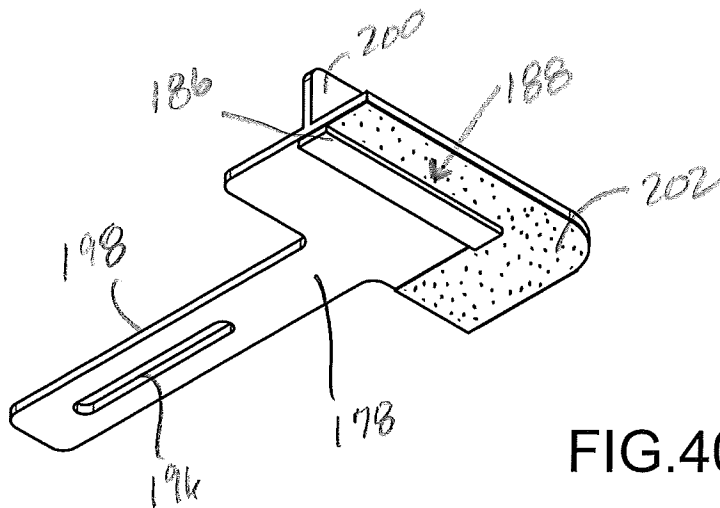


FIG. 40

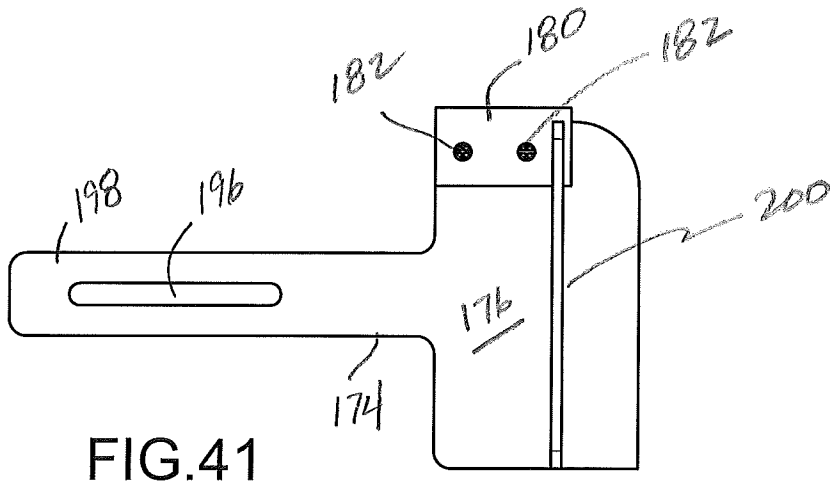


FIG. 41

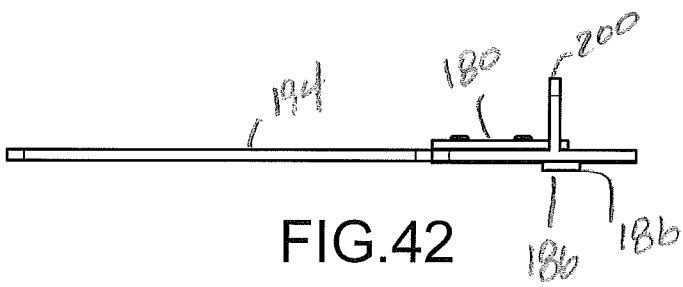


FIG. 42

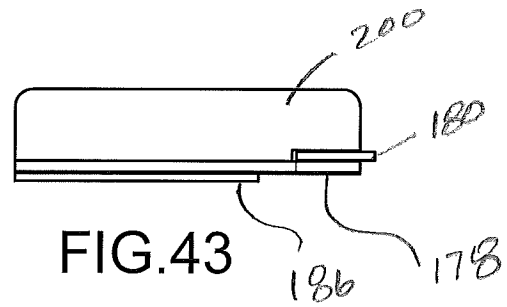


FIG. 43

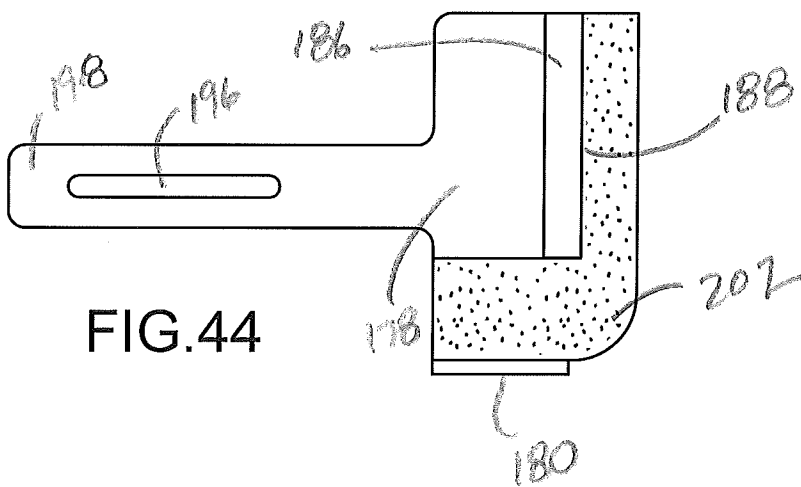


FIG. 44

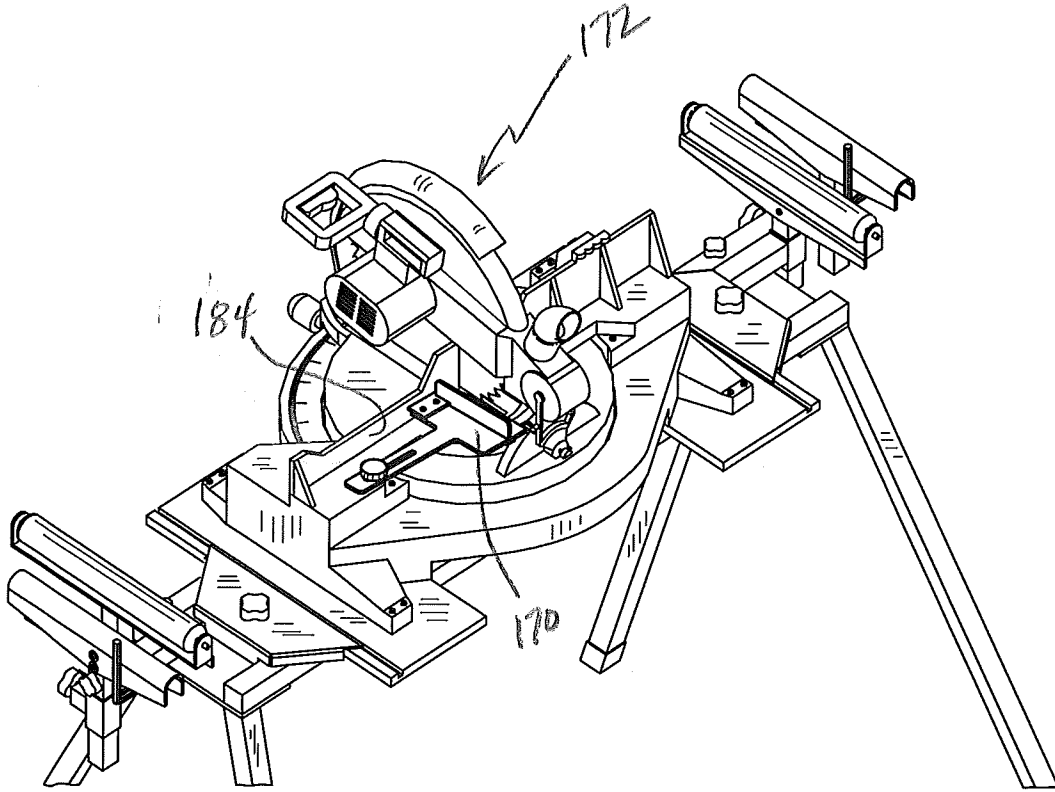


FIG. 45

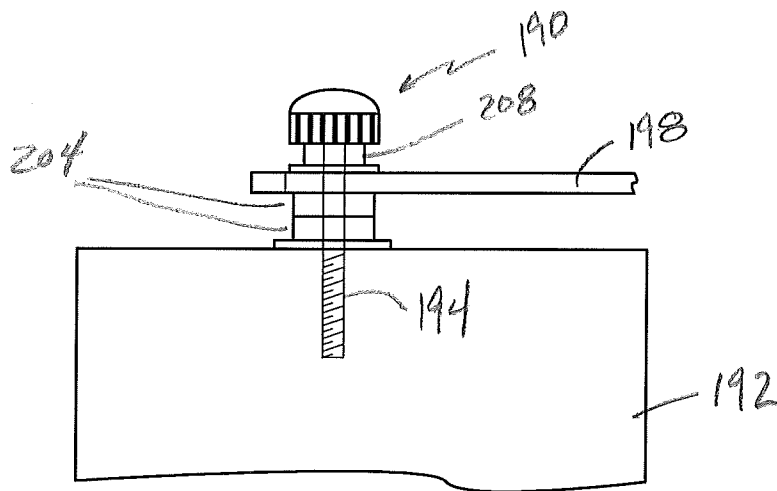


FIG. 46

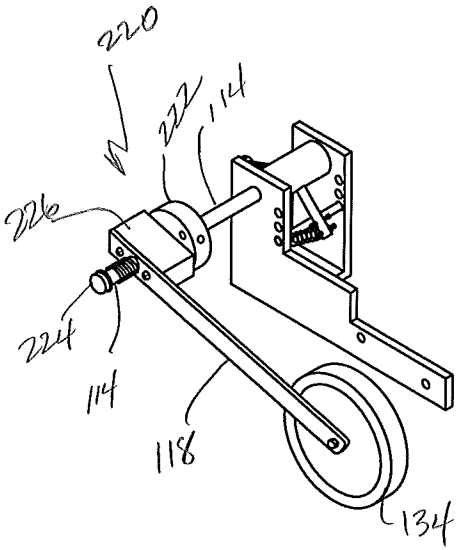


FIG. 47

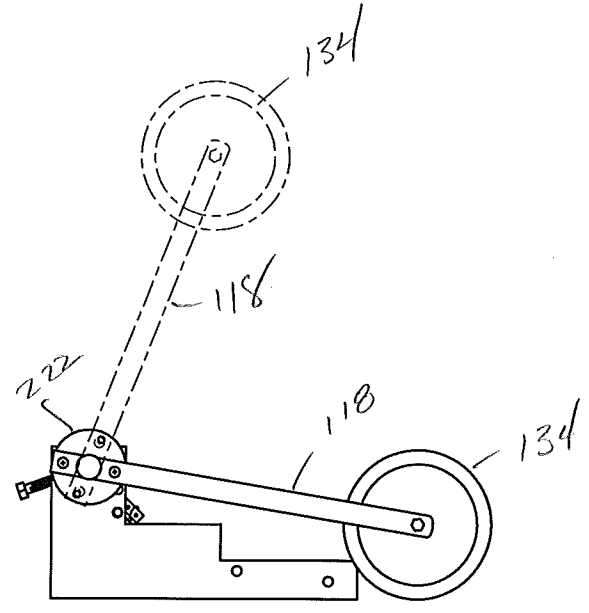


FIG. 48

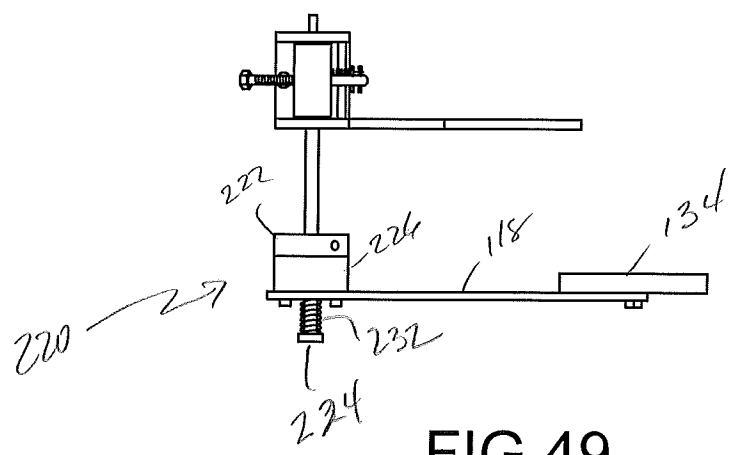


FIG. 49

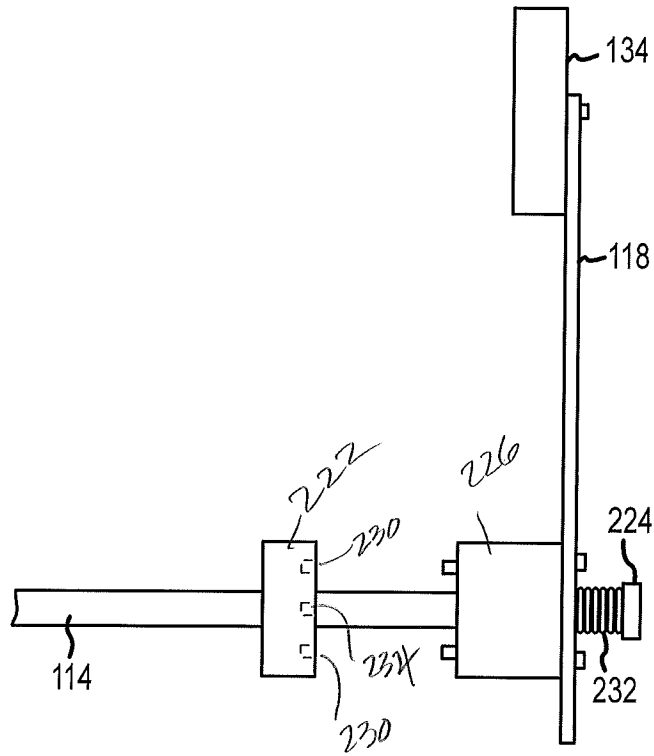


FIG. 50

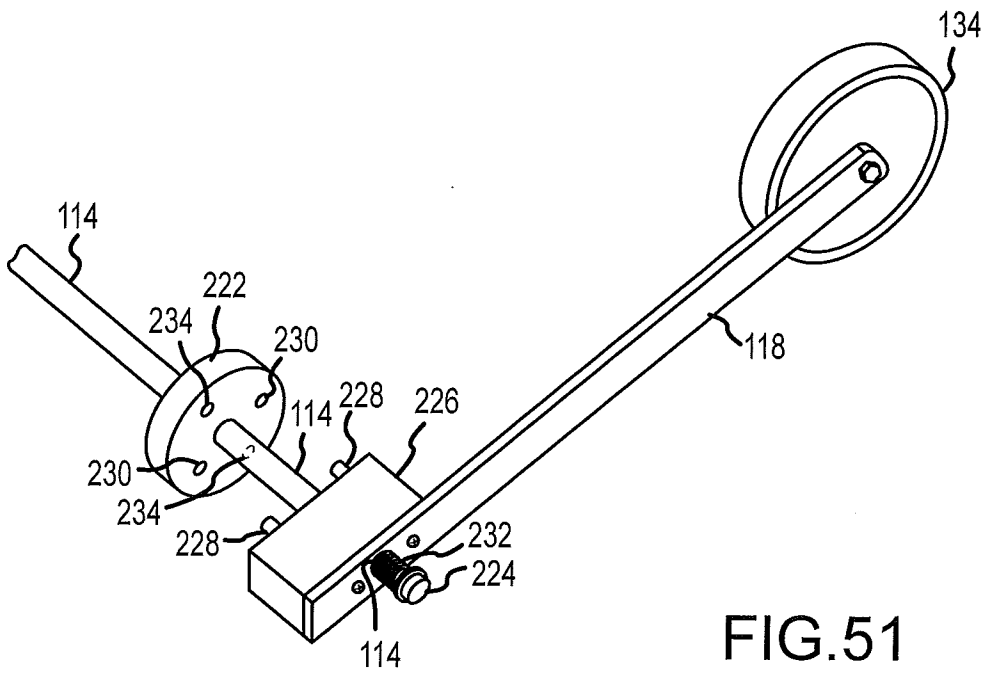


FIG. 51



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.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

<b>Title of Invention</b>	<b>SAFETY DEVICES FOR POWER CUTTING TOOLS</b>
<p>As the below named inventor, I hereby declare that:</p> <p>This declaration is directed to: <input checked="" type="checkbox"/> The attached application, or  <input type="checkbox"/> United States application or PCT international application number _____  filed on _____.</p> <p>The above-identified application was made or authorized to be made by me.</p> <p>I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.</p> <p>I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.</p> <p style="text-align: center;"><b>WARNING:</b></p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p>	
<b>LEGAL NAME OF INVENTOR</b>	
Inventor: <u>WILLIAM NIICHEL</u> Date (Optional): <u>11/01/2013</u>	
Signature: <u><i>William Nichel</i></u>	
<p>Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.</p>	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 1 minute 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.

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	
<b>Filing Date:</b>	
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Attorney Docket Number:</b>	6367-6

Filed as Small Entity

### Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360

**Pages:**

**Claims:**

**Miscellaneous-Filing:**

**Petition:**

**Patent-Appeals-and-Interference:**

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>730</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	17296001
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6
<b>Receipt Date:</b>	01-NOV-2013
<b>Filing Date:</b>	
<b>Time Stamp:</b>	17:08:25
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$730
RAM confirmation Number	4201
Deposit Account	191970
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	6367_6_ADS.pdf	1504833 d432ad9dd31c12dfe7671b79f29640a3edd7e876	no	6

**Warnings:**

**Information:**

2		PAT_APP_FINAL.pdf	146016 e1503a221b346238ab97b2c74bc6d65ef6f30bb1	yes	28
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**Multipart Description/PDF files in .zip description**

Document Description	Start	End
Specification	1	24
Claims	25	27
Abstract	28	28

**Warnings:**

**Information:**

3	Drawings-only black and white line drawings	FIGS_1_51_FINAL.pdf	1577617 05f5451af27564ab1aeee4da056a1c5fa6c3c955	no	21
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**Warnings:**

**Information:**

4	Oath or Declaration filed	6367_6_DECLARATION_EXECUTED.pdf	268690 5893b40356f2c19e5f50831132f97171eb334406	no	2
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**Warnings:**

**Information:**

5	Fee Worksheet (SB06)	fee-info.pdf	33010 263f760530c5457adfcfb27b412571450997c80b	no	2
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>			3530166		
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**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 Acknowledgement Receipt

<b>EFS ID:</b>	17296001
<b>Application Number:</b>	14070117
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4334
<b>Title of Invention:</b>	SAFETY DEVICE FOR POWER CUTTING TOOLS
<b>First Named Inventor/Applicant Name:</b>	WILLIAM NIICHEL
<b>Customer Number:</b>	22442
<b>Filer:</b>	Todd Parker Blakely/Lori Brown
<b>Filer Authorized By:</b>	Todd Parker Blakely
<b>Attorney Docket Number:</b>	6367-6
<b>Receipt Date:</b>	01-NOV-2013
<b>Filing Date:</b>	
<b>Time Stamp:</b>	17:08:25
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$730
RAM confirmation Number	4201
Deposit Account	191970
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)



Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	6367_6_ADS.pdf	1504833 d432ad9dd31c12dfe7671b79f29640a3edd7e876	no	6

**Warnings:**

**Information:**

2		PAT_APP_FINAL.pdf	146016 e1503a221b346238ab97b2c74bc6d65ef6f30bb1	yes	28
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**Multipart Description/PDF files in .zip description**

Document Description	Start	End
Specification	1	24
Claims	25	27
Abstract	28	28

**Warnings:**

**Information:**

3	Drawings-only black and white line drawings	FIGS_1_51_FINAL.pdf	1577617 05f5451af27564ab1aeee4da056a1c5fa6c3c955	no	21
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**Warnings:**

**Information:**

4	Oath or Declaration filed	6367_6_DECLARATION_EXECUTED.pdf	268690 5893b40356f2c19e5f50831132f97171eb334406	no	2
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**Warnings:**

**Information:**

5	Fee Worksheet (SB06)	fee-info.pdf	33010 263f760530c5457adfcfb27b412571450997c80b	no	2
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>			3530166		
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**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.**

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>14/070,117</b>	Filing Date <b>11/01/2013</b>	<input type="checkbox"/> To be Mailed
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ENTITY:     LARGE     SMALL     MICRO

**APPLICATION AS FILED – PART I**

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input checked="" type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	<b>70</b>
<input checked="" type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	<b>300</b>
<input checked="" type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	<b>360</b>
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	20 minus 20 =	* 0	x \$40 =	<b>0</b>
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	2 minus 3 =	* 0	x \$210 =	<b>0</b>
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
			<b>TOTAL</b>	<b>730</b>

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED – PART II**

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
<b>AMENDMENT</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					<b>TOTAL ADD'L FEE</b>	

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
<b>AMENDMENT</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					<b>TOTAL ADD'L FEE</b>	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LDRC  
/EVA GILLIS/

This collection of information is required by 37 CFR 1.16. 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. 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.**

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