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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 18/928,130, 10/27/2024, Bennet Langlotz, BKL-11C2, 1371
Row 2: 25917, 7590, 12/17/2024, LANGLETZ PATENT & TRADEMARK WORKS, LLC, PO BOX 660675 #37585, Dallas, TX 75266-0675
Row 3: EXAMINER, YOUNG, EDWIN
Row 4: ART UNIT, PAPER NUMBER, 3655
Row 5: NOTIFICATION DATE, DELIVERY MODE, 12/17/2024, 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):

pair@langlotz.com

Office Action Summary

Application No.

18/928,130

Applicant(s)

Langlotz, Bennet

Examiner

EDWIN YOUNG

Art Unit

3655

AIA (FITF) Status

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 10/27/2024.

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) 1-20 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 or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10) The specification is objected to by the Examiner.

11) The drawing(s) filed on 10/27/2024 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)

3) Interview Summary (PTO-413)

Paper No(s)/Mail Date _____.

2) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)

4) Other: _____.

Paper No(s)/Mail Date 10/27/2024 and 12/06/2024.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

This is the first action on the merits for application 18/928,130. Claims 1-20 are currently pending in this application.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on 10/27/2024 and 12/06/2024 have been considered by the examiner.

Claim Objections

Claim 2 is objected to because of the following informalities: line 3, "wherein approval indication" should be changed to - wherein the approval indication- - for claim consistency (see, for reference, Claim 1, line 11, "an approval indication"). Appropriate correction is required.

Claim 3 is objected to because of the following informalities: line 3, "for approval indication" should be changed to - for the approval indication- - for claim consistency (see, for reference, Claim 1, line 11, "an approval indication"). Appropriate correction is required.

Claim 4 is objected to because of the following informalities: lines 1-2, "a change in the drive direction" should be changed to - the change in the drive direction- - for claim consistency (see, for reference, Claim 1, lines 8-9, "a change in the drive direction"). Appropriate correction is required.

Claim 4 is objected to because of the following informalities: line 2, "a steering input" should be changed to - -the steering input- - for claim consistency (see, for reference, Claim 1, line 4, "a steering input"). Appropriate correction is required.

Claim 5 is objected to because of the following informalities: lines 1-2, "a change in the drive direction" should be changed to - -the change in the drive direction- - for claim consistency (see, for reference, Claim 1, lines 8-9, "a change in the drive direction"). Appropriate correction is required.

Claim 6 is objected to because of the following informalities: line 2, "a steering input" should be changed to - -the steering input- - for claim consistency (see, for reference, Claim 1, line 4, "a steering input"). Appropriate correction is required.

Claim 7 is objected to because of the following informalities: lines 1-2, "a change in the drive direction" should be changed to - -the change in the drive direction- - for claim consistency (see, for reference, Claim 1, lines 8-9, "a change in the drive direction"). Appropriate correction is required.

Claim 8 is objected to because of the following informalities: lines 1-2, "an approval indication" should be changed to - -the approval indication- - for claim consistency (see, for reference, Claim 1, line 11, "an approval indication"). Appropriate correction is required.

Claim 9 is objected to because of the following informalities: lines 1-2, "an approval indication" should be changed to - -the approval indication- - for claim consistency (see, for reference, Claim 1, line 11, "an approval indication"). Appropriate correction is required.

Claim 12 is objected to because of the following informalities: line 3, "wherein approval indication" should be changed to - wherein the approval indication- - for claim consistency (see, for reference, Claim 11, line 11, "an approval indication"). Appropriate correction is required.

Claim 13 is objected to because of the following informalities: line 3, "for approval indication" should be changed to - for the approval indication- - for claim consistency (see, for reference, Claim 11, line 11, "an approval indication"). Appropriate correction is required.

Claim 14 is objected to because of the following informalities: lines 1-2, "a change in the drive direction" should be changed to - the change in the drive direction- - for claim consistency (see, for reference, Claim 11, lines 8-9, "a change in the drive direction"). Appropriate correction is required.

Claim 14 is objected to because of the following informalities: line 2, "a steering input" should be changed to - the steering input- - for claim consistency (see, for reference, Claim 11, line 4, "a steering input"). Appropriate correction is required.

Claim 15 is objected to because of the following informalities: lines 1-2, "a change in the drive direction" should be changed to - the change in the drive direction- - for claim consistency (see, for reference, Claim 11, lines 8-9, "a change in the drive direction"). Appropriate correction is required.

Claim 16 is objected to because of the following informalities: line 2, "a steering input" should be changed to - the steering input- - for claim consistency (see, for reference, Claim 11, line 4, "a steering input"). Appropriate correction is required.

Claim 17 is objected to because of the following informalities: lines 1-2, "a change in the drive direction" should be changed to -the change in the drive direction- for claim consistency (see, for reference, Claim 11, lines 8-9, "a change in the drive direction"). Appropriate correction is required.

Claim 18 is objected to because of the following informalities: lines 1-2, "an approval indication" should be changed to -the approval indication- for claim consistency (see, for reference, Claim 11, line 11, "an approval indication"). Appropriate correction is required.

Claim 19 is objected to because of the following informalities: lines 1-2, "an approval indication" should be changed to -the approval indication- for claim consistency (see, for reference, Claim 11, line 11, "an approval indication"). Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of 35 U.S.C. 112(b):

(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 9, 10, 12, 13, 19 and 20 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention.

Claim 2 recites the limitation "the brake pedal" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to -the brake control- (see, for reference, Claim 2, line 1, "a brake control").

Claim 3 recites the limitation "the brake pedal" in line 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to -the brake control- (see, for reference, Claim 2, line 1, "a brake control").

Claim 3 recites the limitation "the brake" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to -the brake control- (see, for reference, Claim 2, line 1, "a brake control").

Claim 9 recites the limitation "the drive mode" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the first instance of this limitation in line 2 should be changed to -a drive mode-.

Claim 9 recites the limitation "and reverse mode" in lines 2-3 and 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the first instance of this limitation in lines 2-3 should be changed to -and a reverse mode-.

Claim 10 recites the limitation "the brake" in line 6. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to -the brake control- (see, for reference, Claim 10, line 1, "a brake control").

Claim 12 recites the limitation "the brake pedal" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to - -the brake control- - (see, for reference, Claim 12, line 1, "a brake control").

Claim 13 recites the limitation "the brake pedal" in line 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to - -the brake control- - (see, for reference, Claim 12, line 1, "a brake control").

Claim 13 recites the limitation "the brake" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to - -the brake control- - (see, for reference, Claim 12, line 1, "a brake control").

Claim 19 recites the limitation "the drive mode" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the first instance of this limitation in line 2 should be changed to - -a drive mode- -.

Claim 19 recites the limitation "and reverse mode" in lines 2-3 and 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the first instance of this limitation in lines 2-3 should be changed to - -and a reverse mode- -.

Claim 20 recites the limitation "the brake" in line 6. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether this limitation should be changed to - -the brake control- - (see, for reference, Claim 20, line 1, "a brake control").

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP § 2146 *et seq.* for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The filing of a terminal disclaimer by itself is not a complete reply to a nonstatutory double patenting (NSDP) rejection. A complete reply requires that the terminal disclaimer be accompanied by a reply requesting reconsideration of the prior Office action. Even where the NSDP rejection is provisional the reply must be complete. See MPEP § 804, subsection I.B.1. For a reply to a non-final Office action, see 37 CFR 1.111(a). For a reply to final Office action, see 37 CFR 1.113(c). A request for reconsideration

while not provided for in 37 CFR 1.113(c) may be filed after final for consideration. See MPEP §§ 706.07(e) and 714.13.

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The actual filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/apply/applying-online/eterminal-disclaimer.

Claims 1, 2, 8, 9, 11, 12, 18 and 19 are rejected on the ground of nonstatutory double patenting as being unpatentable over Claim 11 of U.S. Patent No. 11,932,230. Although the claims at issue are not identical, they are not patentably distinct from each other because each of the limitations of Claims 1, 2, 8, 9, 11, 12, 18 and 19 of the instant application are fully contained by Claim 11 of US 11,932,230.

Claim 1-3, 8, 9, 11-13, 18 and 19 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over Claims 3, 8 and 9 of copending Application No. 18/928,128 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because each of the limitations of Claims 1-3, 8, 9, 11-13, 18 and 19 of the instant application are fully contained by Claims 3, 8 and 9 of Application No. 18/928,128.

This is a provisional nonstatutory double patenting rejection because the patentably indistinct claims have not in fact been patented.

Claim 1, 8, 11 and 18 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over Claim 10 of copending Application No. 18/928,131 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because each of the limitations of Claims 1, 8, 11 and 18 of the instant application are fully contained by Claim 10 of Application No. 18/928,131.

This is a provisional nonstatutory double patenting rejection because the patentably indistinct claims have not in fact been patented.

Claim 1-20 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over Claims 1 and 4-11 of copending Application No. 18/928,134 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because each of the limitations of Claims 1-20 of the instant application are fully contained by Claims 1 and 4-11 of Application No. 18/928,134.

This is a provisional nonstatutory double patenting rejection because the patentably indistinct claims have not in fact been patented.

Claim 1-5, 7-9, 11-15 and 17-19 are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over Claims 3-5 and 7-9 of copending Application No. 18/928,137 (reference application). Although the claims at issue are not identical, they are not patentably distinct from each other because each of the limitations of Claims 1-5, 7-9, 11-15 and 17-19 of the instant application are fully contained by Claims 3-5 and 7-9 of Application No. 18/928,137.

This is a provisional nonstatutory double patenting rejection because the patentably indistinct claims have not in fact been patented.

Allowable Subject Matter

Claims 1-20 would be allowable should the double patenting rejections above be overcome and if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose nor render obvious a motor vehicle for operation by a driver including a steering control operable by the driver to generate a steering input; the drive system operable based on the steering input to offer the driver a change in the drive direction, in combination with the other elements required by independent Claim 1.

The prior art does not disclose nor render obvious a motor vehicle for operation by a driver including a steering control operable by the driver to generate a steering input; the controller operable based on the steering input to offer the driver a change in the drive direction, in combination with the other elements required by independent Claim 11.

One of ordinary skill in the art would have no rationale, absent hindsight, to modify the prior art to derive the claimed invention since the above mentioned limitations, in combination with the other claim limitations, are considered new and nonobvious improvements over the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

SHIVAPRASAD et al. (US 2024/0051558 A1) discloses a vehicle control system wherein an autoshift is offered to a driver and enacted upon a driver approval indication. Note, the earliest effective filing date of SHIVAPRASAD et al. associated with the provisional application 63/371,370 is 8/12/2022, which precedes Applicant's earliest effective filing date of 6/5/2023. However, this

provisional application does not disclose the above mentioned limitations indicated as allowable subject matter. All relevant passages in US 2024/0051558 A1 which may describe similar features as those recited in the above mentioned limitations indicated as allowable subject matter were newly presented in the non-provisional application dated 8/14/2023. Therefore, US 2024/0051558 A1 has an effective filing date of 8/14/2023 for all subject matter that is newly presented from provisional application 63/371,370. As the effective filing date for the relevant portions of US 2024/0051558 A1 is 8/14/2023 and is subsequent Applicant's earliest effective filing date of 6/5/2023, US 2024/0051558 A1 cannot be used as a prior art reference against the above mentioned limitations indicated as allowable subject matter.

HARA et al. (US 2021/0300349 A1) discloses a vehicle movement assist system (see ABSTRACT).

SAKURAI (US 2020/0404192 A1) discloses a vehicle imaging control system (see ABSTRACT).

TOMOZAWA et al. (US 2016/0075329 A1) discloses a parking assist system (see ABSTRACT).

KARANDIKAR (US 2013/0184979 A1) discloses a motor vehicle movement control system (see ABSTRACT).

WUTTKE et al. (US 2013/0110342 A1) discloses a vehicle parking control system (see ABSTRACT).

JANECKE (US 5,436,833) disclose a transmission control system (see ABSTRACT).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWIN YOUNG whose telephone number is (571)272-4781. The examiner can normally be reached Monday - Friday 10:00 am - 6:00 pm (CST).

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacob S Scott can be reached on (571)270-3415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: <https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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