



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
WWW.USPTO.GOV

Paper No. 25

YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON VA 22202

MAILED
JUN 10 2009
OFFICE OF PETITIONS

In re Application of	:	
Gyula Kulcsar	:	
Application No. 08/481,352	:	DECISION ON REQUEST FOR
Filed: July 6, 1995	:	RECONSIDERATION OF
Attorney Docket Number: 81491-	:	FINAL AGENCY ACTION VIA THE
8017	:	MAILING OF A DECISION
Title: PHARMACEUTICAL	:	PURSUANT TO
COMPOSITIONS FOR PREVENTION AND	:	37 C.F.R. § 1.137(b)
TREATMENT OF CANCEROUS DISEASES	:	
AND PROCESS FOR THEIR	:	
PREPARATION	:	

This is a decision on the "REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.137(e) OF SECOND RENEWED PETITION TO REVIVE UNDER 37 CFR §1.137(b)," filed on February 20, 2009. This submission is being treated as a Request for Reconsideration, requesting reconsideration of a decision mailed December 22, 2008, which denied Petitioner's request to revive this abandoned application.

The above-identified application became abandoned for failure to file a proper response to the Restriction Requirement, mailed October 8, 1996, which set a shortened statutory period to reply for one month. No extensions of time under the provisions of 37 C.F.R. § 1.136(a) were received. Accordingly, the above-identified application became abandoned on November 9, 1996. A Notice of Abandonment was mailed on May 12, 1997.

Several petitions which sought the withdrawal of the holding of abandonment were filed on April 4, 2002, August 20, 2002, and April 26, 2005. None of these petitions were granted.

An original petition pursuant to 37 C.F.R. § 1.137(b) was filed on October 3, 2005 along with a response to the restriction requirement. This petition was dismissed via the mailing of a decision on February 23, 2006.

A renewed petition pursuant to 37 C.F.R. § 1.137(b) was filed on August 23, 2006, along with a four-month extension of time, so as to make timely this response. The renewed petition was dismissed via the mailing of a decision on April 30, 2007.

A second renewed petition pursuant to 37 C.F.R. § 1.137(b) was filed November 30, 2007.

In a final agency action, within the meaning of 35 U.S.C. § 704, mailed December 22, 2008, the second renewed petition pursuant to 37 C.F.R. § 1.137(b) which sought the revival of this application was DENIED. It was concluded, for reasons set forth in the decision, that the delay cannot be regarded as unintentional.

There will be no further consideration of this matter by the Office.

It is noted that the address listed on the petition differs from the address of record. The application file does not indicate a change of correspondence address has been filed in this case, although the address given on the petition differs from the address of record. If Petitioner desires to receive future correspondence regarding this application, the change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to Petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary. Petitioner will not receive future correspondence related to this application unless Change of Correspondence Address, Patent Form (PTO/SB/122) is submitted for the above-identified application. For Petitioner's convenience, a blank Change of Correspondence Address, Patent Form (PTO/SB/122), may be found at <http://www.uspto.gov/web/forms/sb0122.pdf>.

Decision on Request for Reconsideration of a Final Agency Action

Telephone inquiries regarding *this decision* should be directed to the Senior Attorney Paul Shanoski at (571) 272-3225.¹



Charles Pearson
Director
Office of Petitions

cc: YOUNG & THOMPSON
209 MADISON STREET
SUITE 500
ALEXANDRIA, VA 22314

¹ It will be noted that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, no telephone discussion may be controlling or considered authority for Petitioner's further action(s).