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9-18-07

In re application of  
Nelson Wong  
Serial No. 11/837,541  
Filed: August 20, 2007  
For: COVERING FOR COMPOST

DECISION ON PETITION  
TO MAKE SPECIAL

This is a decision on the petition filed on August 12, 2007 to make the above-identified application special.

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

Pursuant to the "Changes to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), all petitions to make special, except those based on applicant's health or age or the PPH pilot, filed on or after August 25, 2006 are required to comply with the requirements of petitions to make special under the accelerated examination program.

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Changes to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

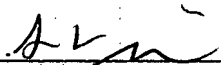
1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a) on or after August 25, 2006;
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

Application No. 11/837,541

The application as filed is not eligible for accelerated examination under 37 C.F.R. § 1.102(d) because it was incomplete as filed as evidenced by the Notice of Incomplete Nonprovisional Application mailed August 15, 2007 and the Notice to File Missing Parts of Nonprovisional Application mailed September 6, 2007.

For the above-stated reasons, the petition is denied. The application will therefore be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Gregory Mills, Quality Assurance Specialist, at (571) 272-1439.

  
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Gregory Mills  
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