

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ledoux, R. *et al.*

Application No: 11,854,213

Filed: September 12, 2007

Title: *Methods and Systems for Determining the Average Number and Mass of Materials*

Art Unit: *N/A*

Examiner: *N/A*

Attorney Docket No. **PSD-001.02**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 23313-1450

**REQUEST TO CORRECT OFFICIAL FILING RECEIPT**

For the above-referenced patent application, please correct the priority claim on the Official Filing Receipt dated September 25, 2007. Listed below, and on the attached and marked copy of the Official Filing Receipt (*marked as Exhibit A*), is the requested correction:

This Application	<u>Continuation of</u>	11/177,758	07/08/2005
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The priority information was listed correctly on the first page of the specification (*marked as Exhibit B*) and the Application Data Sheet (*marked as Exhibit C*), both filed September 12, 2007; therefore, the correction is necessitated by error on the part of the USPTO.

Applicants' Attorney does not believe that any fees are required in connection with consideration of this Request. Nevertheless, should any fees be required, Applicants' Attorney hereby authorizes them to be charged to Deposit Account No. **06-1448, Reference PSD-001.02**.

Please correct the Domestic Priority Data section of the Filing Receipt, and after making the correction, please issue a Corrected Filing Receipt.

Should there be any questions regarding this petition, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully submitted,

FOLEY HOAG LLP

Date: October 12, 2007  
Patent Group  
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## EXHIBIT A



## 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

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
11/854,213	09/12/2007	2882	525	PSD-00102	11	4

CONFIRMATION NO. 4458

25181  
 FOLEY HOAG, LLP  
 PATENT GROUP, WORLD TRADE CENTER WEST  
 155 SEAPORT BLVD  
 BOSTON, MA 02110

## FILING RECEIPT



\*OC000000026005036\*

Date Mailed: 09/25/2007

Receipt is acknowledged of this nonprovisional 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 write to the Office of Initial Patent Examination's Filing Receipt Corrections. 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 (if appropriate).**

## Applicant(s)

Robert J. Ledoux, Harvard, MA;  
 William Bertozzi, Lexington, MA;

## Assignment For Published Patent Application

Passport Systems, Inc., Acton, MA

**Power of Attorney:** The patent practitioners associated with Customer Number 25181.

## Domestic Priority data as claimed by applicant

COM This application is a ~~div~~ of 11/177,758 07/08/2005  
 which claims benefit of 60/586,351 07/08/2004

## Foreign Applications

**Projected Publication Date:** To Be Determined - pending completion of Security Review

**Non-Publication Request:** No

**Early Publication Request:** No

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

**Title**

METHODS AND SYSTEMS FOR DETERMINING THE AVERAGE ATOMIC NUMBER AND  
MASS OF MATERIALS

**Preliminary Class**

378

**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 (1-866-999-4158).

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

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#### **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).

## EXHIBIT B

### STATEMENT OF GOVERNMENT INTEREST

Portions of the disclosed subject matter were developed with support from the Department of Homeland Security (award issued by SPAWAR Systems Center), under Contract # N66001-05-D-6011. The U.S. Government may have certain rights in those  
5 portions of the disclosed subject matter.

### CROSS-REFERENCE TO RELATED APPLICATION

This application is a continuation of U.S.S.N. 11/177,758 filed on July 8, 2005, which claims priority to U.S.S.N. 60/586,351 filed on July 8, 2004 and is hereby incorporated by reference.

### 10 BACKGROUND OF THE INVENTION

#### *Field of the Invention*

This invention relates to the field of non-intrusive scanning, and more particularly to systems and methods of determining the average atomic number and mass of a target or one or more portions of a target, as well as to systems and methods of obtaining limits  
15 on the mass of certain elements present in a target or in one or more portions of a target.

#### *Background Information*

A desirable characteristic of a non-intrusive inspection technique for inspecting a target is the ability to rapidly determine atomic number (Z) and density of the target material, as well as the spatial distribution of atomic number and density. In particular, a  
20 rapid determination, preferably with low radiation dose, of the distribution in three dimensions of average atomic number and/or mass is a powerful and useful means to determine the contents of a target container. This information may be used to determine a

**Application Data Sheet****Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	2882
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	METHODS AND SYSTEMS FOR DETERMINING THE AVERAGE ATOMIC NUMBER AND MASS OF MATERIALS
Attorney Docket Number::	PSD-00102
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	5
Small Entity?::	Yes
Licensed US Govt. Agency::	Department of Homeland Security
Contract or Grant Numbers::	N66001-05-D-6011

**Applicant Information**

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#### **Correspondence Information**

Correspondence Customer Number:: 25181

#### **Representative Information**

Representative Customer Number:: 25181

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	Continuation of	11/177758	July 8, 2005
11/177758	Claims the benefit under 35 USC 119(e)	60/586,351	July 8, 2004

**Assignee Information**

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Postal or Zip Code of mailing address:: 01720