

REMARKS

Claims 1-45 were filed as part of the initial application. Claims 1, 3, 5, 6, 15, 19, 42 and 43 remain pending. The other original claims have been canceled. Claims 46-52 have been added to the application. No new matter has been introduced into the application.

Claim 1 has been amended to expressly recite that it is a cassette for a non-capillary electrophoresis process. Furthermore, the claim recites that it is adapted to contain a substrate that receives samples on which the electrophoresis process is to be conducted. This clearly distinguishes the cassette from a two-plate capillary system, such as the one shown in US Pat. No. 6,454,925 (Nakanishi), US Pat. No. 6,176,963 (Soane) and U.S. Pat. No. 6,499,499 (Dantsker).

Additionally, claim 1 recites that the reservoirs are sealed so that buffer passes from between the reservoirs through the substrate. Nakanishi, Soane and Dantsker cannot teach or suggest this feature since neither of those references includes a substrate. Instead the sample travels in the buffer. U.S. Pat. No. 6,592,735 (Meier) and U.S. Pat. No. 4,693,804 (Serwer) also fail to suggest this feature of the invention.

Thus, claim 1 is patentable over Nakanishi, Soane and Dantsker. Claims 3, 5, 6, 15, 19, 51 and 52 all depend from claim 1 and, thus, are also patentable for that reason alone. Furthermore these claims recite additional features that are neither disclosed nor suggested by Nakanishi, Soane and Dantsker. For example, claim 19 recites that the substrate support is removable and reattachable to the lower portion of the cassette. Since both Nakanishi, Soane and Dantsker disclose a unitary lower plate, the substrate support cannot be separable from the lower portion in those references. Claim 51 defines a specific minimum size for the substrate support. Clearly a capillary channel cannot meet this limitation. Claim 52 requires all flow of buffer to go through the substrate. Neither Nakanishi, Soane nor Dantsker includes a substrate.

Accordingly, based on the foregoing, it is respectfully submitted that claims 1, 3, 5, 6, 15, 19, 51 and 52 are all allowable over the art of record.

Claim 42 recites a substrate assembly which includes a substrate for receiving samples,

and an identification device for providing information pertaining to an electrophoresis process.

Japanese reference JP 2001-1188061 (Tanaka) does not disclose claim 42 as currently presented. Tanaka relates to a microchip used in an electrophoresis process. In the parent application, the Examiner provided a JPO English Abstract and a machine translation of the application. It is noted that the machine translation expressly states that it may not be precise. The English Abstract states only that the microchip “can be discriminated and specified automatically by an electrophoretic analyzer.” The only interpretation that is possible from the Abstract of Tanaka is that the microchip contains information *related to the microchip*, such as “the kind of the microchip, on the manufacturing number of the microchip, on the usage history of the microchip”. (See Abstract.) As such, nothing can be inferred from this disclosure except that the microchip includes information regarding itself. Manifestly, no inference can be drawn that the microchip includes information pertaining to an electrophoresis analysis.

Thus, a rejection of claim 42 in view of Tanaka based on the JPO Abstract is not proper.

The machine translation is not an accurate translation and, thus, cannot be relied upon for a rejection of the claims.

Accordingly, in light of the above, it is respectfully submitted that claim 42 is not anticipated by nor obvious in view of Tanaka.

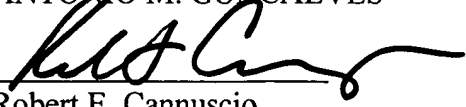
Claims 46-50 depend from claim 42 and, thus, are patentable for that reason alone. Furthermore, these claims recite additional features which are not disclosed nor suggested in any of the translations provided of Tanaka. Thus, these claims are also patentable.

Claim 43 recites a notched substrate which is in the shape of a cross. This aspect of the invention is not shown in any of the claims. Accordingly this claim is patentable over the art of record.

If the Examiner believes that direct communication with Applicant's representative will facilitate examination of this application, the Examiner is invited to contact the undersigned attorney.

Respectfully submitted,
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