IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

Application No.	: 12/823,479	Patent No.:	7,909,641
Filed	: June 25, 2010	Issue Date:	March 22, 2011
TC/A.U.	: 2839	Assignee:	Merchandising Technologies, Inc.
Examiner	: TA, Tho Dac		
Confirmation No.	: 7954		
Docket No.	: WOG 9476.0008		
Customer No.	: 00152		

REQUEST FOR SUPPLEMENTAL EXAMINATION

1600 ODS Tower
601 SW Second Avenue
Portland, OR 97204

October 11, 2012

Mail Stop Ex Parte Reexam
Central Reexamination Unit
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This petition requests Supplemental Examination of claims 1-3 of U.S. Patent No. 7,909,641. The '641 patent matured from application serial number 12/832,479 filed June 25, 2010 as a continuation of application serial number 12/611,432 filed November 3, 2009, now issued as U.S. Patent No. 7,744,404.

§ 1.610 (a)

The required fee of $21,260 is submitted herewith, which includes the request filing fee of $5,140 and the reexamination fee of $16,120.

§ 1.610 (b) (1)

Supplemental Examination pursuant to 35 U.S.C. § 257 *et seq.* is requested for U.S. Patent No. 7,909,641 entitled CABLE MANAGEMENT SYSTEMS FOR PRODUCT DISPLAY, issued March 22, 2011.

§ 1.610 (b) (2)

Items of information submitted herewith are the following:

- Engelmore, U.S. Patent No. 4,590,337, ROTATABLE ELECTRICAL CONNECTOR FOR COILED TELEPHONE CORDS, May 20, 1986
- Fredericksen *et al.*, U.S. Patent No. 6,946, 961, SECURITY SYSTEM WITH MECHANISM FOR CONTROLLING CORD TWISTING, September 20, 2005.
- Deconinck *et al.*, U.S. Patent No. 7,101,187, ROTATABLE ELECTRIC CONNECTOR, September 5, 2006.
- Deconinck *et al.*, U.S. Patent No. 7,209,038, SECURITY SYSTEM FOR POWER AND DISPLAY OF CONSUMER ELECTRONIC DEVICES, April 24, 2007.
- "Instructions for the PowerPro Sensor Head", 10 pages, Protex Int'l Corp., copyright 2007.
- "Instructions for PowerPro Detangler", 1 page, Protex Int'l Corp, copyright 2005.
- "Power Pro System", 2 pages, Protex Int'l Corp, copyright 2006.

§ 1.610 (b) (3)

There are no other prior or concurrent proceedings involving this patent.

§ 1.610 (b) (4)

Supplemental Examination is requested for claims 1-3 of U.S. Patent No. 7,909,641.

SUMMARY

A substantial new question of patentability is believed to exist because prior art considered during the prosecution of the '641 patent did not show an electrical cable coupled to a mounting chuck carrying a consumer electronic device, in which the electrical cable was also connected to a swivel device. The items of information submitted with this request do show this feature.

Each of the items of information submitted is directed to a system of this type or mentions use in a system of this type. However, the items of information (with the exception of Engelmore '337) do not show an extendable and retractable cable assembly. An extendable and

retractable cable assembly is one that stretches elastically so that it may extend under a pulling force and retract when that force is relaxed.

That feature is, however, shown in prior art cited during the prosecution of the '404 patent, the parent of the '641 patent. Specifically, Engelmore (U.S. Patent No. 4,590,337) shows a swivel assembly that maintains electrical connection in an elastically stretchable-coiled telephone cable that may rotate while the cable extends and retracts. Engelmore, however, does not show a cable management system for use in displaying electronic devices in a commercial setting, nor does it show a mounting member for carrying an electronic device into which the cable extends.

Thus while the cited prior art failed to show an electronic consumer device coupled to a mounting device by an electrical cord with a swivel connector that permits rotation of the mounting while maintaining electrical continuity, the items of information do show such a feature. A swivel feature employed in this environment is disclosed in the items of information above and for that reason petitioner believes that a substantial new question of patentability exists with respect to claims 1-3 of the '641 patent.

§ 1.610 (b) (5)

Reference is made to the chart below which shows the partial correspondence of the items of information and cited prior art with claims 1-3 of the Henson '641 patent. The chart is not to be construed as an admission that the features of the prior art referenced therein contain each limitation of the corresponding phrases from the claims.

Claim	Claim Language	Prior Art
1.	A cable management system for use in displaying one of a plurality of electronic devices in a commercial setting, comprising:	Fredericksen '961, Deconinck '038 and the Protex PowerPro instruction manuals all show security systems for managing consumer electronic devices.
	a cable assembly that provides an electrical coupling to a displayed electronic device, the cable assembly being extendable and retractable;	Engelmore '337 shows a curly telephone cord 26 that is extendable and retractable. See FIGS 1, 2, and 3. [Engelmore does not show a "displayed electronic device."]

Claim	Claim Language	Prior Art
1. (cont.)	a mounting member for carrying the displayed electronic device, and wherein the cable assembly at least partially extends into and is electrically coupled to the mounting member,	Fredericksen '961 shows a displayed device 12 on a mounting connector 32, coupled to a cord 30 (FIG.1). The PowerPro instruction manuals show mounting chucks for electronic devices coupled to an electrical cord. Deconinck '038 shows a mounting 30 for an electronic device which is coupled to a cord 20 (FIG.2).
	and further, the cable assembly is connected to the mounting member in a manner so as to facilitate extension and retraction movements of the cable assembly and mounting member for respectively lifting and replacing the mounting member to and from a retail display while the mounting member is coupled to the cable assembly;	In both Deconinck '038 and Fredericksen '961, the mounting member may be lifted and replaced while coupled to an electrical cord. (*See* '038 patent, column 10, lines 29–44.) The PowerPro manuals show mountings that may be lifted and replaced while electrically connected to an electrical cord.
	and a swivel assembly that is in-line in the cable assembly for enabling at least a portion of the cable assembly to rotate while maintaining the electrical coupling to the displayed electronic device during extension and retraction movements of the cable assembly, in a manner so as to reduce torsional forces placed on the cable assembly during said extension and retraction movements.	Fredericksen '961 shows a swivel assembly comprising connector assemblies 60 and 62 (FIG. 1; col. 7, line 5 – col. 8, line 16). Deconinck '187 shows a swivel connector between two electrical cords (FIG. 1). PowerPro Detangler brochure shows a swivel connector for an electrical device. Deconinck '038 describes a detangler 90 that permits the housing 30 to rotate (col. 10, lines 29–44.)

Claim	Claim Language	Prior Art
2.	The cable management system of claim 1, wherein the swivel assembly couples an end of the extendable and retractable cable assembly to the mounting member.	PowerPro Detangler and Deconinck '187 couple an electric cord to a sensor head. A detangler 90 is shown in Deconinck '038 between an electrical cord and a housing 30 for an electronics product.
3.	The cable management system of claim 1, wherein the extendable and retractable cable assembly has a first end connected to the mounting member and a second end connected to an upstream power supply, and wherein the swivel assembly couples the second end of the cable assembly to the upstream power supply.	Fredericksen '961 shows a swivel (60, 62) connecting a power cable 30, 64 to a power supply in an alarm assembly 38 at a lower end of the cable 64 (FIG. 1).

§ 1.610 (b) (6)

A copy of the '641 patent is submitted herewith as attachment A.

§ 1.610 (b) (7)

Copies of each item of information are submitted herewith as Attachments B, C, D, E, F, G and H.

§ 1.610 (b) (8)

Not applicable: no items of information are over 50 pages in length.

§ 1.610 (b) (9)

A statement under 37 CFR 3.73 (c) identifying Merchandising Technologies, Inc. as the sole owner of the patent for which supplemental examination is requested is submitted herewith.

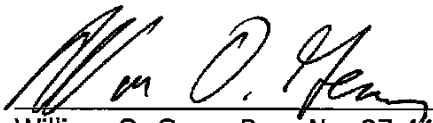
Explanation under 37 CFR 1.610(c)(3) and (4)

While petitioner believes that the items of information as submitted do raise a substantial new question of patentability, petitioner also believes that claims 1-3 of the patent are patentable over the new prior art. What the items of information disclose that is new is the use of a swivel in connection with a cord that powers an electronic device on a mount in a consumer electronics display. While the new prior art adds a combination not previously considered, this is not enough to render claims 1-3 invalid.

None of the cords used to connect electrically to electronic devices displayed on mounting chucks are extendable and retractable. The cords in the Deconinck patents, the Fredericksen patent and the Protex brochures and instruction sheets are all straight electrical cables having no elasticity. Hence, they are not cable assemblies that are "extendable and retractable" as the claims require. Instead, these cords are kept taut by a mechanical retractor. But a mechanical retractor is not a part of the "cable assembly" as that term is properly construed. The "cable assembly" is an electrical cable with connectors and is independent of any mechanical assist mechanism, as the specification of the Henson '641 patent makes clear.

Thus, no single piece of prior art, either cited during prosecution, or submitted herewith, shows the claimed invention. Further, there is no teaching that would suggest that an extendable and retractable cable assembly as claimed would be an acceptable substitute for the non-extendable cords and mechanical retractors commonly used in commercial electronics display settings.

Respectfully submitted,



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ATTACHMENTS

Attachment A: Henson *et al.*, U.S. Patent No. 7,909,641, CABLE MANAGEMENT SYSTEMS FOR PRODUCT DISPLAY, March 22, 2011.

Attachment B: Engelmore, U.S. Patent No. 4,590,337, Rotatable Electrical Connector for Coiled Telephone Cords, May 20, 1986.

Attachment C: Fredericksen *et al.*, U.S. Patent No. 6,946,961, SECURITY SYSTEM WITH MECHANISM FOR CONTROLLING CORD TWISTING, September 20, 2005.

Attachment D: Deconinck *et al.*, U.S. Patent No. 7,101,187, ROTATABLE ELECTRIC CONNECTOR, September 5, 2006.

Attachment E: Deconinck *et al.*, U.S. Patent No. 7,209,038, SECURITY SYSTEM FOR POWER AND DISPLAY OF CONSUMER ELECTRONIC DEVICES, April 24, 2007.

Attachment F: "Instructions for the PowerPro Sensor Head", 9 pages, Protex International Corp., copyright 2007.

Attachment G: "Instructions for PowerPro Detangler", 1 page, Protex International Corp, copyright 2005.

Attachment H: "PowerPro System", 2 pages, Protex International Corp, copyright 2006.