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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
JASTRZAB, JEFFREY R	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Date: 05/23/2016

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. : 90013341 and 90013655 are merged.
PATENT NO. : 7293385
ART UNIT : 3993

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified ex parte reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the ex parte reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

Office Action in Ex Parte Reexamination	Control No. 90/013,341 and 90/013,655 merged	Patent Under Reexamination 7293385	
	Examiner JEFFREY R. JASTRZAB	Art Unit 3993	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

a. ☒ Responsive to the communication(s) filed on 4/21/16 .
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

b. ☐ This action is made FINAL.

c. ☐ A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 1 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).** If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☐ Information Disclosure Statement, PTO/SB/08.
3. ☐ Interview Summary, PTO-474.
4. ☐ _____.

Part II SUMMARY OF ACTION

1a. ☒ Claims 3, 5-9 and 11-15 are subject to reexamination.
1b. ☐ Claims _____ are not subject to reexamination.
2. ☐ Claims _____ have been canceled in the present reexamination proceeding.
3. ☐ Claims _____ are patentable and/or confirmed.
4. ☒ Claims 3, 5-9 and 11-15 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ The drawings, filed on _____ are acceptable.
7. ☐ The proposed drawing correction, filed on _____ has been (7a) ☐ approved (7b) ☐ disapproved.
8. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the certified copies have
   1 ☐ been received.
   2 ☐ not been received.
   3 ☐ been filed in Application No. _____ .
   4 ☐ been filed in reexamination Control No. _____.
   5 ☐ been received by the International Bureau in PCT application No. _____.
   * See the attached detailed Office action for a list of the certified copies not received.
9. ☐ Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. ☐ Other: _____

cc: Requester (if third party requester)

The present application is being examined under the pre-AIA first to invent provisions.

Reexamination

Merger

The subject U.S. 7,293,385 Patent issued on November 13, 2007 and was later confirmed in a prior Ex Parte Reexamination 90/013,200 with a Certificate issued as 7,293,385 C1 confirming patent claims 1-9, canceling claim 10 and adding Claims 11-15.

A second reexamination is pending as Control Number 90/013,341, filed 9/8/2014, reexamining claims 1-9 and 11-15, of which claims 1, 2 and 4 have been canceled.

A third request, Control Number 90/013,655 calls for reexamination of claims 3, 5-9 and 11-15 of the C1 Certificate. An Order has been issues granting the request.

Reexamination Control Numbers 90/013,341 and 90/013,655 have been merged, see the Decision of 3/29/2016.

Claim Status

Claims 1, 2 and 4 have been canceled.

Claims 3, 5-9 and 11-15 are currently pending and stand rejected.

Withdrawn Rejections

The rejection of Claims 2 and 4 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,671,005 to Jewell in view of U.S. Patent No. 3,707,796 to Bielfeldt is rendered moot by the cancellation of those claims.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 5, 6, 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jewell in view of Bielfeldt, U.S. Patent No. 5,904,132 to Biller and U.S. Patent No. 2,514,981 to Walker et al (Walker), and as further evidenced by the AR-15 Schematics.

(Claim 5)

Claim 5 sets forth the recited firearm in a structural manner in combination with the module.

Jewell discloses a firearm (rifle 12). The firearm has a receiver formed in the stock (16) (see Fig. 1). The receiver defines a trigger group receiving area between a first receiver side wall and a second receiver side wall (see Fig. 2). Although Jewell apparently discloses a bolt receiver (not shown, see col. 3, lines 65-68), the term "receiver" is interpreted in this reexamination proceeding as being the portion of the firearm that houses the firearm's operating parts, including the bolt and the trigger

group. Accordingly, the *receiver* in Jewell is the combination of the bolt's receiver and also the cavity that receives the housing 26. See annotated Figure 1, below.

Each of the first and second receiver side walls includes a first pin receptacle opening, which functions to define a pin support surface. Figure 2 shows the receptacle openings of the firearm supporting a pin (30).

(Fig. 2, with added notation by the Examiner taken from the Reexam Request; Fig 1 without annotation)

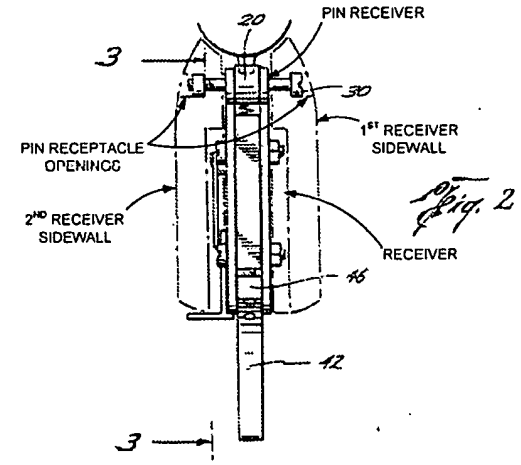


Fig. 2

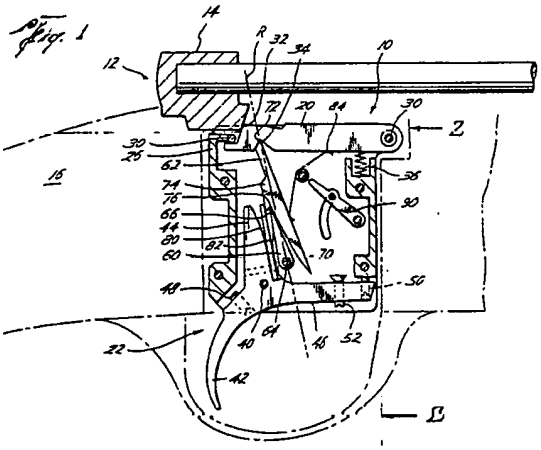
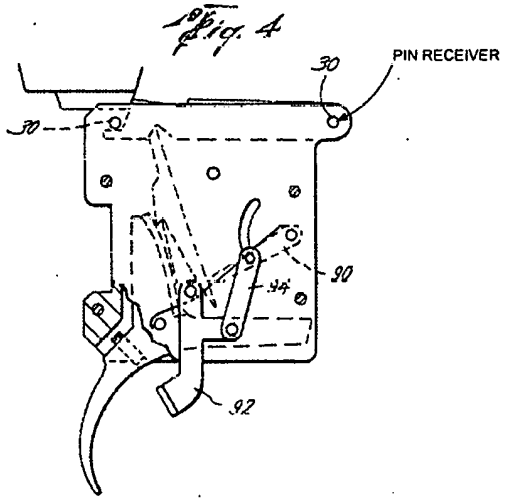


Fig. 1

Jewell further discloses a module housing (housing 26) located in an operating position in the trigger group receiving area of the firearm (as shown in Figs. 1, 2; see col. 3, lines 64-65).

Jewell additionally discloses a number of trigger group components mounted within the module housing, including an arm lock means (20), a trigger piece (22), and a link mechanism (24) components (see col. 4 lines 1-3; Fig. 1).

(Fig. 4, with added notation taken by the Examiner from the Reexam Request)



Jewell further discloses a first pin receiver positioned in the module housing and aligning with the first pin receptacle openings of the firearm (see Figs. 2, 4). Jewell includes a first pin receiver in the module housing (26), substantially defined by an opening/aperture in each of the housing walls through which a pin (30) passes (see Fig. 3). As shown (see Fig. 2), the pin receiver is positioned so as to align with the first pin receptacle openings of the firearm while the module housing (26) is in the operating

position. In this position the first pin receptacle openings of the firearm are to define pin support surfaces formed in the first receiver side wall and the second receiver side wall.

Jewell further discloses a first module pin mounted in the first pin receiver. As evident in Figure 1, Jewell has a trigger group component (i.e., an arm lock means/arm lock 20) supported in the module housing about the pin (30) which is received in a pin receiver. Also present is a pin-receiving sleeve that receives the pin (30) therein (again see Fig. 1). This is also described by Jewell's specification (see col. 4, lines 4-5): "The arm lock means 20 is pivotally mounted to a housing 26 on a sleeve about pin 30 ...." This passage would tend to indicate that the sleeve also defines a component-supporting pin.

Jewell further discloses the following regarding the sleeve being connected (in some manner) to the housing (see col. 6, line 67 – col. 7, line 7):

> *Even if removal of the trigger assembly 10 is necessary (see FIGS. 1 and 2), removal of the pin 30 allows the entire trigger assembly to be quickly removed from the rifle 12. That is,* ***a sleeve connects the lock arm 20 to the housing 26, the pin 30 passes through the sleeve to connect the housing 26 to the stock 16.*** *The rear portion of the housing 26 is supporting in the stock by a lip. Thus, removal of pin 30 allows removal of the entire trigger assembly 10. (Examiner's emphasis)*

However, it should be noted that Jewell's Figures 3 and 4, although tending to indicate that pins (30) are physically mounted in the pin receiver openings in the module's housing wall, fail to show that a pin receiver opening also mounts therein the pin-

receiving sleeve. Therefore, even if the unnumbered sleeve itself would reasonably be defined as a module pin, its disclosed location fails to meet (for it) the claim 5 limitation that calls for the first module pin to be mounted in the first pin receiver.

Accordingly, Jewell by itself fails to disclose a first module pin that *both* (1) has an opening for alignment with the pin receptacle openings of the firearm and (2) is mounted in a first pin receiver positioned in the module's housing. Instead, Jewell has a pin (30) mounted in a pin receiver opening (in the housing; see Fig. 4) but not itself having an opening, and Jewell further has an unnumbered sleeve having an alignable opening, which even if it is determined to define a pin, is nonetheless not disclosed as mounted in a pin receiver (which is positioned in the module housing).

Nonetheless, it is suggested in the trigger mechanism art to make a component-mounting pin hollow that also functions as a bolt. More specifically, Bielfeldt suggests, to one of ordinary skill in the art, to pivotally mount a trigger sear (indicated with the number 21) on a "fixed pin or bolt 27" (see col. 3, lines 52-55), and Bielfeldt's Figure 1 tends to show that this fixed pin or bolt 27 is hollow. The trigger mechanism includes components 12, 21, 30 located between housing plates (see col. 3, lines 20-23). The description of the mounting element 27 as a "bolt" implies that the element may at least connect the trigger sear (pivotally) to one of the housing plates 10. Moreover, the term "bolt" would tend to suggest that the connection is made by extending it into or through an opening. The term would thus suggest to the artisan that a bolt 27 is mounted in an opening in at least one housing plate 10 (in the Examiner's opinion).

Moreover, the sear in Bielfeldt is disclosed as being pivotally mounted at one end, and Figures 1 and 2 show the sear being overlapped with one of the housing plates. Thus, the Examiner has not found the argument in the October 16, 2014 Declaration of Charles Olsen, presented by Patent Owner, to be persuasive which has argued that the sear in Bielfeldt is not described as being mounted to a housing plate (paragraph 9), because the artisan would understand from Bielfeldt that the pivotal mounting of the sear is *to a housing plate* via the bolt.

Requester has cited judicial support for considering that combining "familiar elements according to known methods is likely to be obvious when it does not yield more than predictable results, and that altering the prior art by the mere substitution of one known element in place of another in the field, yields no more than a predictable result (see 9/8/14 Request for Reexamination, p 31). Based on this argument, Requester has argued that substituting the pin or bolt (27) of Bielfeldt for the unnumbered sleeve of Jewell would yield the predictable result of permitting removal the entire trigger assembly (10) of Jewell from the firearm, while managing to retain the arm lock means (20) in a pivotally mounted relationship with the housing (26) even after removal of the pin (30).

Requester has additionally argued that one of ordinary skill in the art would be motivated to replace such a sleeve of Jewell with the "pin or bolt 27" of Bielfeldt, which pivotally mounts a similar component to a similar housing, so as to retain Jewell's arm lock means (20), the spring (36) and the block (62) (and, possibly, other components) in

their assembled order within the housing (26) even after the assembly has been removed from the firearm.

The Examiner agrees. Thus, for these reasons as argued by Requester, it would have been obvious to one of ordinary skill in the art, in view of Bielfeldt, to have replaced the unnumbered sleeve of Jewell with a hollow bolt and, moreover because the replaced hollow element constitutes a bolt, to have connected it (the bolt) to the opening in the housing's (26) plate.

Additionally, Jewell fails to disclose that the lower extremity of its module housing is located above the lowermost edges of the first and second receiver side walls of the shown firearm's trigger group receiving area.

Nonetheless, Biller suggests such a feature in relation to a firearm. As argued by Requester (see 9/8/2014 Request, p 32):

> *Biller discloses a trigger module (14 – Fig. 2) that has been received in a housing (12) having a lower edge (within the trigger guard). As shown in Figure 1, even the lowest point of the module walls does not protrude below the housing lower edge, which demonstrates that essentially all the lower edge of the module is above the level of the housing edge. Modifying Jewell to slightly raise the level of the lower edge of the module would have been motivated by a desire to provide added clearance to ensure against unwanted protrusion of the module housing into trigger guard area, for example, due to manufacturing tolerances.*

The Examiner agrees. Biller's positioning and shape of triggering module 14 relative to the edge of its grip housing 12 in the vicinity of the trigger would suggest a desire in Biller to have the lowest portions of the triggering module be above a lowermost edge of the grip housing, so as to avoid protrusion of the triggering module.

Moreover, the reference of Walker teaches a position for a module housing/trigger housing 4 in a bolt-type rifle wherein the lowermost extremity of the housing is above the lowermost edge of the cavity that receives the housing (see Fig. 1). One would appreciate from the structure shown in Walker that such a relative position of the housing produces a benefit of reducing obstruction to a trigger's access by the user.

Accordingly, for the reasons as argued by Requester regarding Biller and as indicated herein regarding Walker, it would have been obvious to one of ordinary skill in the art in view of Biller and Walker to modify Jewell for making the position of the module housing in Jewell so that its lowermost extremity will be above the lowermost edges of the side walls of the firearm, for reducing obstruction to the trigger by unwanted protrusion of the module housing.

Accordingly, claim 5 is unpatentable over Jewell in view of Bielfeldt, Biller and Walker.

(Claim 6)

The limitations in claim 6 essentially call for (1) there to be second pin receptacle openings in the first and second receiver side walls and for the second pin receptacle openings to define pin support surfaces, and (2) there to be a second pin receiver in the

module housing that is aligned with the second pin receptacle openings. Jewell fails to include these features because it describes supporting the module housing 26 with only one of the pins 30 (and a lip; see col. 7, lines 2-7). Thus, Jewell only discloses one pin receiver (defined by openings in the walls in the housing for the pin 30) being aligned with pin receptacle openings of the firearm side walls (as seen in Fig. 2) and thus not a second pin receiver that is aligned with second pin receptacle openings in the firearm side walls.

However, regarding a firearm having a bolt (3), the reference of Walker teaches to connect a trigger component/module housing (4) in the receiver of a firearm with a pair of pins (14, 15) (see col. 2, lines 37-43) which are also used for pivotal support of trigger group components. Walker therefore essentially teaches, in addition to having a first pin receiver (for pin 14) in a module housing being aligned with a first connecting location in a firearm's receiver, to additionally provide a second pin receiver (for pin 15) in the module housing, which is aligned with a second connecting location in the firearm. Accordingly, one of ordinary skill would readily appreciate from Walker's teaching that Jewell could be modified *(1)* to have the second of Jewell's pins 30 be modified and used for connecting the module housing 26 in the firearm, *(2)* to further provide second pin receptacles in the side walls in Jewell's rifle 12, and *(3)* to have the second pin receptacles be aligned with the second pin receiver that receives the second pin 30 (shown in Figs. 1 and 4). Achievement of a sturdier installment of the module housing in the stock would constitute a benefit that is achieved from using such a dual connection. Therefore, it would have been obvious to one of ordinary skill in the art to

modify Jewell in view of Walker to provide a result that includes a second pin receiver in the module housing 26 being aligned with second pin receptacles openings in the firearm's side walls.

(Claim 8)

Although the safety mechanism 28 in Jewell is mounted to its module 26, Biller further demonstrates that it is within the ordinary skill in the art to instead mount a safety (40, including operator knob 71, pawl 52 and shaft 70 etc.) to a firearm receiver's side walls and to do this even when the firearm's trigger assembly is included within a module housing (frame 43, walls 46, 47) in a firearm (spear gun). Accordingly, it would have been obvious to one of ordinary skill in the art in view of Biller to modify the safety mechanism of Jewell so that it would also be accessibly mounted to one of the firearm's side walls and thus to the receiver for the trigger assembly.

(Claim 9)

The Walker reference demonstrates where a receiver (1) would be that houses the bolt. This would apparently be the type of feature referred to by Jewell when it refers to a receiver (see col. 3, lines 65-68). However, as indicated above, the term "receiver" in this reexamination prosecution is interpreted to be *the part of a firearm that houses the operating parts.* This means that the portions of the firearm of Jewell having therein the bolt and the trigger group define the receiver. The upper portion for the bolt in Jewell can be considered as the upper receiver, and the lower portion for the trigger group can be considered as the lower receiver. Accordingly, the limitation in claim 9 per se either is met by Jewell (of the art combination) or further obvious in view of Walker.

Claim 9 therefore does not distinguish the claimed subject matter relative the applied art combination being applied to independent claim 5.

Response to Arguments (90/013,341 - 10/20/15 Response)

As to Claim 5, Patent Owner argues that the portion of the stock housing the trigger components would not be considered a receiver by those of ordinary skill in the art. Walker is cited to establish what those in the art would consider a receiver as well as a Third Declaration of Seth K. Bradbury stating that bolt action rifles have an outer steel sleeve called the receiver.

After careful consideration of all of the evidence, these arguments are not persuasive. The Examiner's position is that the receiver of Jewell constitutes both the bolt receiving area as well as the trigger component receiving area. While it is recognized that the bolt receiver is a term or art, generally referred to as the receiver generically, the firearm in Jewell nonetheless includes a trigger component receiving area or cavity. The art is fully aware of instances where the upper action of a rifle is considered the upper receiver and the portion that houses the trigger components is considered the lower receiver (e.g. the AR-15 platform as evidenced by the AR-15 Schematics). Here, broadly, the sum of the trigger receiving area and the bolt receiving area can certainly collectively be considered a receiving area or receiver.

Moreover, and possibly more importantly, Jewell's trigger assembly is not limited to use in a Mauser-type bolt action rifle. Jewell specifically states that the trigger assembly is applicable to other firearms: *"(t)he trigger assembly 10 can easily be*

adapted for use in other types of firearms...." Thus, to the extent those in the art would not have interpreted a bolt action rifle to have upper and lower receiver areas, those having ordinary skill in the art would have understood this teaching to be equally applicable to firearms with specifically designated upper and lower receiving areas, such as the AR-15 platform for the intrinsic benefits making the trigger housing replaceable. Thus, it would have been obvious to have used the Jewell trigger assembly in other firearms, including those with upper and lower receivers, given Jewell's explicit teaching to do so. Since this may be considered a newly presented position, this rejection has not been made final.

As to Claim 9, Patent Owner offers testimony of Michael McCormick in related litigation to establish that the stock is not a receiver in a bolt action rifle. Additionally, the AR-15 platform is discussed to differentiate a firearm with an upper and lower receiver. As noted above, the trigger receiving area of a firearm can be considered a receiver in the broadest sense, but even if the Mauser-type bolt action rifle stock cannot be considered as having a receiver that includes the trigger housing, given the explicit teaching by Jewell to use the trigger housing in other types of firearms, it would have been obvious to those of ordinary skill in the art to have used that trigger housing in firearms with separate upper and lower receivers as established above.

Claims 3, 7 and 11-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jewell in view of Bielfeldt, U.S. Patent No. 5,904,132 to Biller and U.S. Patent No. 2,514,981 to Walker et al (Walker) for the reasons set forth

above for Claims 5, 6, 8 and 9, and further in view of Benelli Montefeltro Super 90 (American Rifleman Publication) as evidenced by the Super 90 – Montefeltro 20-Montefeltro 12 (Benelli Owner's Manual - Jan. 2002) and US. Patent No. 4,103,586 to Tollinger, and as further evidenced by the AR-15 Schematics.

Claim Interpretation

It is to be understood that the limitations from canceled claims 1 and 2 are effectively a part of patent claim 3 based on dependency. They are being considered as follows.

(From Canceled Claim 1)

Jewell discloses a trigger group module (trigger assembly 10) for a firearm (e.g., a rifle) of a type having a receiver that defines a trigger group receiving area between first and second receiver side walls. Jewell shows a firearm receiver that is formed in the stock (16) of a firearm (see Fig. 1) and that defines a trigger group receiving area between first and second receiver side walls (see Fig. 2), within which the module would be received. Note the discussion above with respect to the receiver interpretation: the Examiner's position is that the receiver of Jewell constitutes both the bolt receiving area as well as the trigger component receiving area. While it is recognized that the bolt receiver is a term or art, generally referred to as the receiver generically, the firearm in Jewell nonetheless includes a trigger component receiving area or cavity. The art is fully aware of instances where the upper action of a rifle is considered the upper receiver and the portion that houses the trigger components is considered the lower

receiver (e.g. the AR-15 platform as evidenced by the AR-15 Schematics). Here, broadly, the sum of the trigger receiving area and the bolt receiving area can certainly collectively be considered a receiving area or receiver.

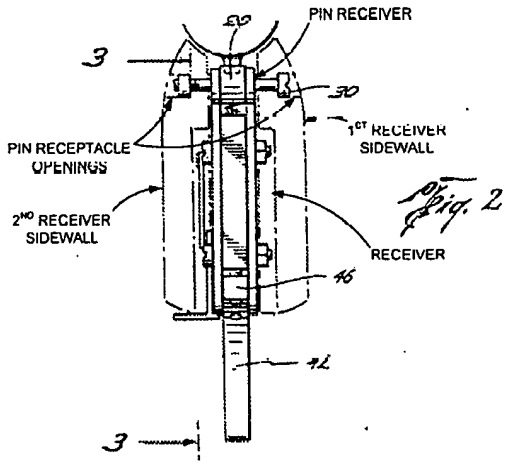
Moreover, and possibly more importantly, Jewell's trigger assembly is not limited to use in a Mauser-type bolt action rifle. Jewell specifically states that the trigger assembly is applicable to other firearms: *"(t)he trigger assembly 10 can easily be adapted for use in other types of firearms...."* Thus, to the extent those in the art would not have interpreted a bolt action rifle to have upper and lower receiver areas, those having ordinary skill in the art would have understood this teaching to be equally applicable to firearms with specifically designated upper and lower receiving areas, such as the AR-15 platform for the intrinsic benefits making the trigger housing replaceable. Thus, it would have been obvious to have used the Jewell trigger assembly in other firearms, including those with upper and lower receivers, given Jewell's explicit teaching to do so. Since this may be considered a newly presented position, this rejection has not been made final.

Jewell further discloses a module housing (housing 26), which is adapted to be inserted to an operating position in such trigger group receiving area, as shown in Figs. 1, 2 (see also col. 3, lines 64- 65).

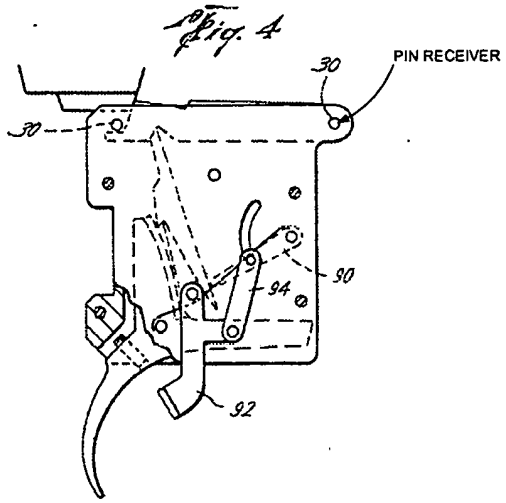
Jewell additionally discloses a number of trigger group components mounted within the module housing. These components include an arm lock means (20), a trigger piece (22), and a link mechanism (24) (see col. 4, lines 1-3).

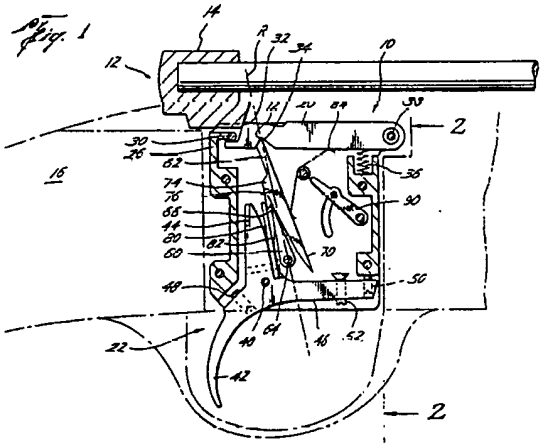
Jewell also discloses a first pin receiver positioned in the module housing so as to align with first pin receptacle openings of a firearm when the module housing is in an operating position. Jewell's first pin receiver in the module housing (26) is substantially defined by an opening or an aperture in each of the housings walls, through which a pin (30) passes. As demonstrated, this pin receiver would be capable of being positioned for aligning with opposed pin receptacle openings of a firearm when the module housing (26) is in a position within a firearm's receiver (see annotated versions of Figs. 2, 4 below), by which to permit the pin receptacle openings of the firearm to function as pin support surfaces in the firearm's receiver side walls.

(Fig. 2, with added notation by the Examiner taken from the Reexam Request)



(Fig. 4, with added notation taken by the Examiner from the Reexam Request)





Jewell further discloses a first module pin mounted in the first pin receiver in the module, on which a trigger group component is supported in the module housing. As evident in Figure 1 (see above), Jewell has one of its trigger group components (i.e., an

arm lock means/arm lock 20) supported in the module housing (26) about a module pin (30). The pin is received in a pin receiver (the openings in the module side walls; see annotated Fig. 2).

Also present is a pin-receiving sleeve that receives the pin (30) therein (again see Figs. 1 and 2). This is also described by Jewell's specification (see col. 4, lines 4-5): "The arm lock means 20 is pivotally mounted to a housing 26 on a sleeve about pin 30 ...." This passage would tend to indicate that the sleeve also defines a component-supporting pin. Jewell further discloses the following regarding the sleeve being connected (in some manner) to the housing (see col. 6, line 67 - col. 7, line 7):

> *Even if removal of the trigger assembly 10 is necessary (see FIGS. 1 and 2), removal of the pin 30 allows the entire trigger assembly to be quickly removed from the rifle 12.* ***That is, a sleeve connects the lock arm 20 to the housing 26, the pin 30 passes through the sleeve to connect the housing 26 to the stock 16.*** *The rear portion of the housing 26 is supporting in the stock by a lip. Thus, removal of pin 30 allows removal of the entire trigger assembly 10. (Examiner's emphasis)*

However, it should be noted that Jewell's Figures 3 and 4, although tending to indicate that pin (30) is physically mounted in the receiver openings in the module's housing wall, fail to show that a pin receiver opening also mounts therein the pin-receiving sleeve. Its specification also does not describe such a structural relationship. Therefore, even if the unnumbered sleeve itself would reasonably qualify as a module

pin in Jewell, the pin's disclosed location fails to meet (for it) the limitation that calls for a first module pin to be mounted in the first pin receiver.

Accordingly, Jewell by itself fails to disclose a first module pin that both (1) has an opening for alignment with the pin receptacle openings of the firearm and (2) is mounted in a first pin receiver positioned in the module's housing. Instead, Jewell has a pin (30) mounted in a pin receiver opening (in the housing; see Fig. 4) but not itself having an opening, and Jewell further has an unnumbered sleeve having an alignable opening, which even if it is determined to define a pin and connect a component to the housing, is nonetheless not mounted in a pin receiver (which is positioned in the module housing)

Nonetheless, it is suggested in the trigger mechanism art to make a component-mounting pin hollow that also functions as a bolt. More specifically, Bielfeldt suggests, to one of ordinary skill in the art, to pivotally mount a trigger sear (indicated with the number 21) on a "fixed pin or bolt 27" (see col. 3, lines 52-55), and Bielfeldt's Figure 1 tends to show that this fixed pin or bolt 27 is hollow. The trigger mechanism includes components 12, 21, 30 located between housing plates (see col. 3, lines 20-23). The description of the mounting element 27 as a "bolt" implies that the element may at least connect the trigger sear (pivotally) to one of the housing plates 10. Moreover, the term "bolt" would tend to suggest that the connection is made by extending it into or through an opening. The term would thus suggest to the artisan that a bolt 27 is mounted in an opening in at least one housing plate 10 (in the Examiner's opinion).

Moreover, the sear in Bielfeldt is disclosed as being pivotally mounted at one end, and Figures 1 and 2 show the sear overlapped with one of the housing plates. Requester (12/16/2014 Reply, p 8) has argued the following:

> *Further, given that the assembly of Bielfeldt is shown and described as a self- contained assembly, and is not dependent on the firearm to maintain the characteristics of the assembly (e.g., the location and pivoting nature of sear or other trigger components), it is clear that the sear (21) is mounted to the plates (10) by way of the pin/bolt (27) (i.e., the pin/bolt being attached to the plates) in order for the sear to be able to pivot within the assembly.*

The Examiner continues to find the argument persuasive. The artisan would understand from Bielfeldt that the pivotal mounting of the sear is *to a housing plate* via the bolt. Furthermore, the characteristic of mounting a supporting pin in both opposed plates of a housing is already within the ordinary skill in the art (see Jewell regarding mounting pin (30)).

Requester has cited judicial support for considering that combining "familiar elements according to known methods is likely to be obvious when it does not yield more than predictable results, and that altering the prior art by the mere substitution of one element for another known in the field, yields no more than a predictable result (see 9/8/14 Request for Reexamination, p 31). Based on this argument, Requester has further argued that the substitution of the pin or bolt (27) of Bielfeldt for the unnumbered sleeve of Jewell would yield the predictable result of permitting removal the entire

trigger assembly (10) of Jewell from the firearm, while managing to retain the lock arm means (20) in a pivotally mounted relationship with the housing (26) even after removal of the pin (30).

Requester has additionally argued that one of ordinary skill in the art would be motivated to replace such a sleeve of Jewell with the "pin or bolt 27" of Bielfeldt, which pivotally mounts a similar component to a similar housing, so as to retain Jewell's lock arm means (20), the spring (36) and the block (62) (and, possibly, other components) in their assembled order within the housing (26) even after the assembly has been removed from the firearm.

The Examiner agrees. Accordingly, for these reasons as argued by Requester, it would have been obvious to one of ordinary skill in the art, in view of Bielfeldt, to have replaced the unnumbered sleeve of Jewell with a hollow bolt and, moreover because the replaced hollow element constitutes a bolt, to have connected it (the bolt) in the opening in the housing's (26) plate.

With regard to the limitation (from claim 1) "the module housing having a lower extremity that is located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall when the module housing is in the operating position", Jewell meets such a functional limitation. More specifically, the firearm in claim 1 defines *intended use* in the claim, and the recitation of the position of the module in the firearm is therefore one that is functional. Jewell meets the limitation merely because Jewell's trigger assembly, including the module housing 26 thereof, is capable of being placed in a hypothetical firearm that would be much like what Jewell

shows regarding a rifle, but wherein the rifle's receiver is instead configured slightly differently so that the lowermost edges of the side walls of the rifle's receiver would extend beyond the module housing's (26) lower extremity when the module's pin is connected in the rifle's receptacle openings. Furthermore, Jewell, even when it is modified as explained herein in view of Bielfeldt, would remain capable of meeting the limitation regarding the module's lower extremity. Using a hollow bolt as a sleeve in Jewell in view of Bielfeldt would not result in preventing installing the modified Jewell module in a firearm having side walls that extend below the extremity of the module.

(From Canceled Claim 2)

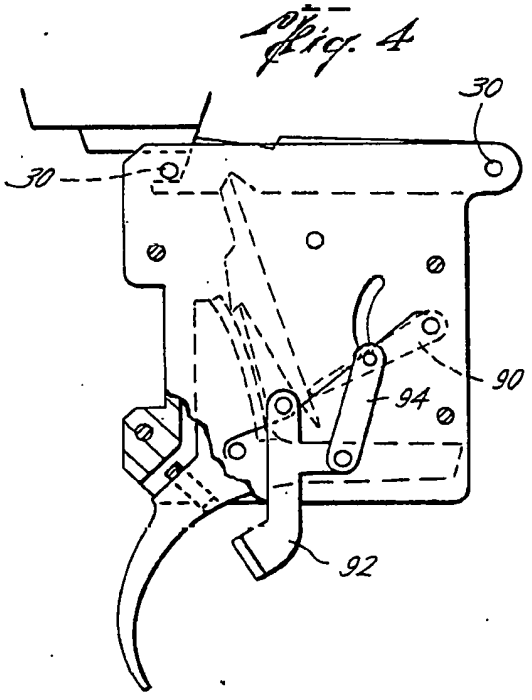
Claim 2 is to a trigger group module *for* a firearm. Accordingly, the trigger group module is structurally set forth in claim 2, whereas the firearm in this claims is read not as *structure* but as *intended use*. Therefore, the recitations in claim 2 of the *locations* of the module or module's components relative to the firearm merely define *functional limitations* related to that *intended use*.

MPEP 2114 essentially addresses how *function/intended use* (i.e., a non-structural limitation) is examined in relation to the prior art. Function is met by the capability of the prior art to perform the function, even if there is no disclosure of the function ever being performed. Moreover, a reasonable rationale of how a function can be performed is sufficient for meeting the functional limitation.

The functional limitations in claim 2 regarding locations in relation to a firearm do not distinguish the claimed subject matter over the ability of the structure of Jewell's module (and modified forms thereof in view of the other applied art) to achieve such

locations in a firearm. With regard to meeting the intended use, there is no requirement that the firearm exist in the prior art, but only that it can exist. Thus, the functions defined by the *locations* of the structure in the claims in relation to a firearm need only be capable of being performed with respect to a hypothetical firearm. Stated differently, it is only necessary that the present rejection sufficiently indicate how the claimed location(s) can be commonly achieved by the module of Jewell in a firearm, in addition to indicating how the module limitations are present in Jewell's module (or an obvious modified version thereof).

Regarding the additional limitations set forth in claim 2, Jewell of the art combination discloses a second pin receiver in the form of a second opening for a second pin (30). See Figure 4.



As with the limitations in the independent claim 1 (which is a canceled patent claim), the firearm is set forth in the claim as *intended use,* and the claim recitation regarding alignment of the second pin receiver with second pin receptacles of the firearm constitutes a functional limitation. Jewell meets the functional limitation regarding alignment because its module is capable of being received in a hypothetical rifle similar to that shown by Jewell but further slightly different by having second receptacle openings that define pin supporting openings that would align with Jewell's second pin receiver (i.e., while the first receptacle openings are aligned by the first receiver opening and while the lowermost edges of the receiver side walls extend below a lower extremity of the housing side walls).

(Claims 3 and 7)

Modified Jewell discloses the invention substantially as claimed however fails to disclose or fairly suggest a second of the pin including an opening which would align with pin receptacle openings of a firearm when the trigger group module is in an operating position in the firearm and supporting an additional one of the trigger components.

Tollinger teaches that the art was well aware of a removable trigger housing that uses two pins to allow removal of the trigger housing from the firearm, e.g. pins 37 in Figure 1A. Additionally, trigger components as trigger 35 is mounted on a bushing that receives the leftmost pin 37 and a shell carrier on the rightmost in the figure (pivot bushings 38 and 192 respectively). The bushings however do not permit replacement

of trigger housing components as the bushings are "fixed in the housing" and thus cannot constitute pins with openings. However, the American Rifleman publication teaches a hammer mounted between the first module side wall and the second module side wall on the first module pin for rotation on the first module pin, thus suggesting that other trigger group components might similarly be mounted on such a module pin. It would have been obvious, given these combined teachings to have modified the Jewell trigger housing to allow for two retainer pin connections to the receiver as well as to utilize module pins with openings to receive the retainer pins to thereby allow replacement of trigger components that pivot thereabout.

(Claim 11)

Modified Jewell is applied as above to the like limitations of Claim 1. Modified Jewell discloses the invention substantially as claimed but fails to disclose or fairly suggest a hammer being mounted on a first module pin that has ends mounted in first pin receiver openings in first and second module walls and that has an opening therethrough aligned with the first pin receiver openings; and a trigger being mounted on a second module pin that has ends mounted in second pin receiver openings in the first and second module walls and that has an opening therethrough aligned with the second pin receiver openings. However, the American Rifleman publication teaches a hammer mounted between the first module side wall and the second module side wall on the first module pin for rotation on the first module pin, thus suggesting that other trigger group components might similarly be mounted on such a module pin. Further, Tollinger establishes that it was known to rotatably mount the trigger of a firearm about

a pin bushing in a removable trigger assembly in the same field of endeavor. Accordingly, it would have been obvious to those having ordinary skill in the art at the time of the invention, given these combined teachings, to have configured the modified Jewell removable trigger assembly housing with removable trigger assembly components including a trigger and a hammer as explicitly taught by Tollinger and the American Rifleman publication as a matter of routine engineering design depending upon the firearm that the trigger assembly was being incorporated into as indicated by Jewell.

(Claim 12)

See the application of the above art to Claim 3 above.

(Claim 13)

See the application of Jewell to Claims 1 and 5 above.

(Claim 14)

See the application of Jewell to Claims 1 and 5 above, those in the art would have immediately recognized that the AR-15 platform is operable in a semi-automatic firing mode.

(Claim 15)

See the application of Jewell to Claims 1, 5 and 11 above.

Claim Rejections - 35 USC § 112

The following is a quotation of 35 U.S.C. 112(b):

(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 15 is rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

In Claim 15, "the first retainer pin" and "the second retainer pin" lack antecedence.

Conclusion

This is a **non**-final Office action because it newly considers the American Rifleman Publication and the Benelli Owner's Manual.

In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office action. Submissions after the next Office action, which is intended to be a final action, will be governed by the requirements of 37 CFR 1.116, after final rejection and 37 CFR 41.33 after appeal, which will be strictly enforced.

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a), to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving the reexamined patent throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286. The third party

requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

All correspondence relating to this *ex parte* reexamination proceeding should be directed as follows:

By EFS: Registered users may submit via the electronic filing system, EFS-Web, at:
https://efs.uspto.gov/efile/myportal/efs-registered

By Mail: Mail Stop *Ex Parte* Reexam
ATTN: Central Reexamination Unit
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-9900
Central Reexamination Unit

By hand: Customer Service Window
Randolph Building
401 Dulany St.
Alexandria, VA 22314

For EFS-Web transmissions, 37 CFR 1.8(a)(1) (i)(C) and (ii) states that correspondence (except for a request for reexamination and a corrected or replacement request for reexamination) will be considered timely filed if: (a) it is transmitted via the Office's electronic filing system in accordance with 37 CFR 1.6(a)(4); and, (b) includes a certificate of transmission for each piece of correspondence stating the date of transmission, which is prior to the expiration of the set period of time in the Office action.

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit (CRU) at telephone number: (571) 272-7705. The fax number of the CRU is: (571) 273-9900.

/Jeffrey R. Jastrzab/
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Central Reexamination Unit 3993

Conferees: /BMF/ /EDL/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reexamination Control No.: 90/013,341	)	
U.S. Patent No.: 7,293,385	)	
Issue Date of Patent: November 13, 2007	)	Group Art Unit: 3993
Filing Date of Application: January 9, 2007	)	Examiner: JASTRZAB, JEFFREY R.
Inventor: MICHAEL L. MCCORMICK	)	Attorney's Docket: 11065P-REX-004
Title: MODULAR TRIGGER GROUP FOR FIREARMS AND FIREARM HAVING A MODULAR TRIGGER GROUP	)	

Reexamination Control No.: 90/013,655	)	
U.S. Patent No.: 7,293,385	)	
Issue Date of Patent: November 13, 2007	)	Group Art Unit: 3993
Filing Date of Application: January 9, 2007	)	Examiner: JASTRZAB, JEFFREY R.
Inventor: MICHAEL L. MCCORMICK	)	Attorney's Docket: 11065P-REX-005
Title: MODULAR TRIGGER GROUP FOR FIREARMS AND FIREARM HAVING A MODULAR TRIGGER GROUP	)	

HOUSEKEEPING AMENDMENT

Where *Ex Parte* Reexaminations Control Nos. 90/013,655 and 90/013,341 have been merged in the Decision Merging Reexamination Proceedings dated March 29, 2016, the Patent Owner hereby submits this Housekeeping Amendment to make the claims identical in both reexamination files. Kindly amend U.S. Patent 7,293,385 C1 in the latter reexamination file (Control No. 90/013,655) as follows: Amendments to Claims starting on page 2 of this document; List of Claims Subject to Reexamination on page 7; Status of Claims on page 13; and brief Remarks (not addressing patentability) starting on page 13.

It is the Patent Owner's understanding that no fee is required. However, if there is one, the Commissioner is hereby authorized to charge our Deposit Account No. 08-2622 to cover the filing fee required under 37 C.F.R. § 41.20(b)(2). The Patent Owner does qualify for "small entity" status.

AMENDMENTS TO CLAIMS OF CONTROL NUMBER 90/013,655

Kindly cancel Claims 1, 2 and 4.

Kindly amend Claim 12 as follows:

12. (amended) A trigger group module for a firearm, the firearm including a receiver that defines a trigger group receiving area between a first receiver side wall and a second receiver side wall, the trigger group module including:

a. a module housing adapted to be inserted to an operating position in the trigger group receiving area, the module housing having a lower extremity that is located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall when the module housing is in the operating position;

b. the module housing has a first module side wall spaced apart from a second module side wall;

c. a number of trigger group components mounted within the module housing between the first module wall and the second module wall;

d. a first pin receiver, defined by a hole in the first module side wall and a hole in the second module side wall of the module housing, positioned in the housing so as to align with first pin receptacle openings of the firearm when the module housing is in the operating position, the first pin receptacle openings defining pin support surfaces formed in the first receiver side wall and the second receiver side wall;

e. a first module pin, with a pin opening extending through the first module pin, mounted in the first pin receiver, wherein the first module pin extends between the first module wall and the second module wall, one of the trigger group components is supported on the first module pin for rotation on the first module pin between the first module wall and the second module wall in the module housing, the first module pin including an opening that aligns with the first pin receptacle openings of the firearm when the module housing is in the operating position;

f. a second pin receiver, defined by another hole in the first module side wall and another hole in the second module side wall of the module housing, positioned in the module housing so as to align with second pin receptacle openings of the firearm when the module housing is in the operating position, the second pin receptacle openings

defining pin support surfaces formed in the first receiver side wall and the second receiver side wall;

g. a second module pin, with a pin opening extending through the second module pin, mounted in the second pin receiver, wherein the second module pin extends between the first module wall and the second module wall, an additional one of the trigger group components is supported on the second module pin for rotation on the second module pin between the first module wall and the second module wall in the trigger group module housing, the pin opening of the second module pin aligns with the second pin receptacle openings of the firearm when the module housing is in the operating position;

h. a first retainer pin extends through the first pin receptacle openings, through the first pin receiver, and through the pin opening of the first module pin; and

i. a second retainer pin extends through the second pin receptacle openings, through the second pin receiver, and [though] <u>through</u> the pin opening of the second module pin.

Kindly amend Claim 15 as follows:

15. (amended) In an AR-15 rifle of the type having a receiver with first pin receptacle openings and second pin receptacle openings in two side walls of a rifle frame, retainer pins removably inserted into the pin receptacle openings, [and a safety mechanism mounted on the rifle frame to engage a trigger group component,] the improvement comprising:

a. a trigger group module comprising:

i. a module housing adapted to fit in an operating position within a receiver of the AR-15 rifle between the side walls of the rifle frame, with a lower extremity of the module housing located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall;

ii. the module housing has a first module side wall and a second module side wall spaced apart from the first module side wall;

iii. the first module wall contains a first pin receiver opening;

iv. the second module wall contains a first pin receiver opening;

v. a first module pin mounted in the module housing and extending between the first module side wall and the second module side wall, wherein:

1. the first module pin has two ends located respectively within the first pin receiver opening of the first module wall and the first pin receiver opening of the second module wall;

vi. a hammer mounted, between the first module side wall and the second module side wall, on the first module pin for rotation on the first module pin;

1. wherein the first module pin has a pin opening, extending through the first module pin, aligned with the first pin receiver opening of the first module wall, the first pin receiver opening of the second module wall, and the first pin receptacle openings in the side walls of the rifle frame; and

2. wherein the first retainer pin has been inserted into the first receiver opening of the first module wall, the pin opening of the first module pin, the first receiver opening of the second module wall, and the first pin receptacle openings.

vii. the first module wall contains a second pin receiver opening;

viii. the second module wall contains a second pin receiver opening;

ix. a second module pin mounted in the module housing and extending between the first module side wall and the second module side wall, wherein:

1. the second module pin has two ends located respectively within the second pin receiver opening of the first module wall and the second pin receiver opening of the second module wall;

x. a trigger mounted, between the first module side wall and the second module side wall, on the second module pin for rotation on the second module pin;

1. wherein the second module pin has a pin opening, extending through the second module pin, aligned with the second pin receiver opening of the first module wall, the second pin receiver opening of the second module wall, and the second pin receptacle openings in the side walls of the rifle frame; and

2. wherein the second retainer pin has been inserted into the second pin receiver opening of the first module wall, the pin opening of the second module pin, the second pin receiver opening of the second module wall, and the second pin receptacle openings.

LIST OF CLAIMS SUBJECT TO
REEXAMINATION CONTROL NO. 90/013,655

1. (canceled)

2. (canceled)

3. (original) The trigger group module of claim 2 further including a second module pin mounted in the second pin receiver on which an additional one of the trigger group components is supported in the trigger group housing, the second module pin including an opening that aligns with the second pin receptacle openings of the firearm when the module housing is in the operating position.

4. (canceled)

5. (original) A firearm including:

a. a receiver having a first receiver side wall and a second receiver side wall that define a trigger group receiving area there between;

b. first pin receptacle openings formed in the first receiver side wall and the second receiver side wall and defining first pin support surfaces;

c. a module housing located in an operating position in the trigger group receiving area, the module housing in the operating position having a lower extremity that is located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall;

d. a number of trigger group components mounted within the module housing; and

e. a first pin receiver positioned in the module housing and aligning with the first pin receptacle openings; and

a first module pin mounted in the first pin receiver and wherein one of the trigger group components is supported in the module housing on the first module pin, the first module pin including an opening that aligns with the first pin receptacle openings.

6. (original) The firearm of claim 5 further including:

a. second pin receptacle openings formed in the first receiver side wall and the second receiver side wall and defining pin support surfaces; and

b. a second pin receiver in the module housing, the second pin receiver aligning with the second pin receptacle openings of the firearm.

7. (original) The firearm of claim 6 further including a second module pin mounted in the second pin receiver, and wherein an additional one of the trigger group components is supported in the trigger group housing on the second module pin, the second module pin including an opening that aligns with the second pin receptacle openings of the firearm.

8. (original) The firearm of claim 5 further including a safety mechanism mounted directly on the receiver and wherein the safety mechanism in an engaged position contacts one of the trigger group components.

9. (original) The firearm of claim 5 wherein the receiver represents a lower receiver of the firearm and wherein the lower receiver is connected to an upper receiver.

11. (original) A trigger group module for a firearm, the trigger group module comprising:

a. a trigger group module housing adapted to be inserted to an operating position, within a trigger group receiving area, between a first receiver side wall and a second receiver side wall of a receiver of the firearm, with a lower extremity of the module housing located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall;

b. the module housing has a first module side wall and a second module side wall spaced apart from the first module side wall;

c. the first module wall contains a first pin receiver opening and a second pin receiver opening;

d. the second module wall contains a first pin receiver opening and a second pin receiver opening;

e. a first module pin has two ends respectively mounted in the first pin receiver opening of the first module wall and in the first pin receiver opening of the second module wall, whereby:

i. the first module pin is supported by, and extends between, the first module side wall and the second module side wall;

f. a hammer mounted, between the first module side wall and the second module side wall, on the first module pin for rotation on the first module pin, wherein:

i. the first module pin has a pin opening, extending through the first module pin, aligned with the first pin receiver opening of the first module wall and the first pin receiver opening of the second module wall;

g. a second module pin has two ends respectively mounted in the second pin receiver opening of the first module wall and in the second pin receiver opening of the second module wall, whereby:

i. the second module pin is supported by, and extends between, the first module side wall and the second module side wall;

h. a trigger mounted, between the first module side wall and the second module side wall, on the second module pin for rotation on the second module pin, wherein:

i. the trigger is adapted to cooperate with a safety mechanism, mounted directly on a receiver of the firearm, when the module housing is in the operating position in the rifle and when the safety mechanism is in an engaged position;

ii. the second module pin has a pin opening, extending through the second module pin, aligned with the second receiver opening of the first module wall and the second receiver opening of the second module wall;

iii. wherein the pin opening of the first module pin is adapted to align with a first pin receptacle opening in the first receiver side wall and a first pin receptacle opening in the second receiver side wall, when the module housing is in the operating position; and

iv. wherein the pin opening of the second module pin is adapted to align with a second pin receptacle opening in the first receiver side wall and a second pin receptacle opening in the second receiver side wall, when the module housing is in the operating position.

12. (amended) A trigger group module for a firearm, the firearm including a receiver that defines a trigger group receiving area between a first receiver side wall and a second receiver side wall, the trigger group module including:

a. a module housing adapted to be inserted to an operating position in the trigger group receiving area, the module housing having a lower extremity that is located above

a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall when the module housing is in the operating position;

b. the module housing has a first module side wall spaced apart from a second module side wall;

c. a number of trigger group components mounted within the module housing between the first module wall and the second module wall;

d. a first pin receiver, defined by a hole in the first module side wall and a hole in the second module side wall of the module housing, positioned in the housing so as to align with first pin receptacle openings of the firearm when the module housing is in the operating position, the first pin receptacle openings defining pin support surfaces formed in the first receiver side wall and the second receiver side wall;

e. a first module pin, with a pin opening extending through the first module pin, mounted in the first pin receiver, wherein the first module pin extends between the first module wall and the second module wall, one of the trigger group components is supported on the first module pin for rotation on the first module pin between the first module wall and the second module wall in the module housing, the first module pin including an opening that aligns with the first pin receptacle openings of the firearm when the module housing is in the operating position;

f. a second pin receiver, defined by another hole in the first module side wall and another hole in the second module side wall of the module housing, positioned in the module housing so as to align with second pin receptacle openings of the firearm when the module housing is in the operating position, the second pin receptacle openings defining pin support surfaces formed in the first receiver side wall and the second receiver side wall;

g. a second module pin, with a pin opening extending through the second module pin, mounted in the second pin receiver, wherein the second module pin extends between the first module wall and the second module wall, an additional one of the trigger group components is supported on the second module pin for rotation on the second module pin between the first module wall and the second module wall in the trigger group module

housing, the pin opening of the second module pin aligns with the second pin receptacle openings of the firearm when the module housing is in the operating position;

h. a first retainer pin extends through the first pin receptacle openings, through the first pin receiver, and through the pin opening of the first module pin; and

i. a second retainer pin extends through the second pin receptacle openings, through the second pin receiver, and [though] through the pin opening of the second module pin.

13. (original) The trigger group module of Claim 12 wherein the firearm is an AR-15 rifle.

14. (original) The trigger group module of Claim 12 wherein the firearm is a semi-automatic rifle.

15. (amended) In an AR-15 rifle of the type having a receiver with first pin receptacle openings and second pin receptacle openings in two side walls of a rifle frame, retainer pins removably inserted into the pin receptacle openings, [and a safety mechanism mounted on the rifle frame to engage a trigger group component,] the improvement comprising:

a. a trigger group module comprising:

i. a module housing adapted to fit in an operating position within a receiver of the AR-15 rifle between the side walls of the rifle frame, with a lower extremity of the module housing located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall;

ii. the module housing has a first module side wall and a second module side wall spaced apart from the first module side wall;

iii. the first module wall contains a first pin receiver opening;

iv. the second module wall contains a first pin receiver opening;

v. a first module pin mounted in the module housing and extending between the first module side wall and the second module side wall, wherein:

1. the first module pin has two ends located respectively within the first pin receiver opening of the first module wall and the first pin receiver opening of the second module wall;

vi. a hammer mounted, between the first module side wall and the second module side wall, on the first module pin for rotation on the first module pin;

1. wherein the first module pin has a pin opening, extending through the first module pin, aligned with the first pin receiver opening of the first module wall, the first pin receiver opening of the second module wall, and the first pin receptacle openings in the side walls of the rifle frame; and

2. wherein the first retainer pin has been inserted into the first receiver opening of the first module wall, the pin opening of the first module pin, the first receiver opening of the second module wall, and the first pin receptacle openings.

vii. the first module wall contains a second pin receiver opening;

viii. the second module wall contains a second pin receiver opening;

ix. a second module pin mounted in the module housing and extending between the first module side wall and the second module side wall, wherein:

1. the second module pin has two ends located respectively within the second pin receiver opening of the first module wall and the second pin receiver opening of the second module wall;

x. a trigger mounted, between the first module side wall and the second module side wall, on the second module pin for rotation on the second module pin;

1. wherein the second module pin has a pin opening, extending through the second module pin, aligned with the second pin receiver opening of the first module wall, the second pin receiver opening of the second module wall, and the second pin receptacle openings in the side walls of the rifle frame; and

2. wherein the second retainer pin has been inserted into the second pin receiver opening of the first module wall, the pin opening of the second module pin, the second pin receiver opening of the second module wall, and the second pin receptacle openings.

STATUS AND SUPPORT OF CLAIMS

Subject to *ex parte* reexamination proceeding (Control No. 90/013,655) are: issued Claims 1-9 recited in U.S. Patent 7,293,385 B1; and allowed additional Claims 11-15 recited in *Ex Parte* Reexamination Certificate No. 7,293,385 C1.

Independent Claims 1, 2 and 4 have been canceled in reexamination proceeding Control No. 90/013,655.

Independent Claims 12 and 15 have been amended in reexamination proceeding Control No. 90/013,655.

Claims 3, 5-9 and 11-15 are currently pending in this reexamination proceeding. Of these, Claims 5, 11, 12 and 15 are independent claims.

REMARKS

By this Housekeeping Amendment, the Patent Owner has amended and/or canceled certain claims in Reexamination Control No. 90/013,655 to make the claims in merged Reexamination Control Nos. 90/013,655 and 90/013,341 identical. Reconsideration and reexamination is hereby requested.

Claims 1, 2 and 4 have been canceled in Reexamination Control No. 90/013,655 by this Housekeeping Amendment. Those same claims were canceled in the earlier Reexamination Control No. 90/013,341 via Amendments dated February 23, 2015 and October 20, 2015.

Claims 12 and 15 have been amended in Reexamination Control No. 90/013,655 by this Housekeeping Amendment. Those same claims were amended in the earlier Reexamination Control No. 90/013,341 via an Amendment dated October 20, 2015.

The Patent Owner has made no changes to the Specification in Reexamination Control No. 90/013,655, since the Patent Owner made no changes to the Specification in the earlier Reexamination Control No. 90/013,341.

IDENTITY OF PATENT OWNER

As previously stated during Reexamination Control No. 90/013,341, O.F. Mossberg & Sons, Inc. ("Mossberg") is the Assignee and current owner of U.S. Patent 7,293,385 B1 ("the

'385 patent"), as noted in the Assignment Records (Reel/Frame 027009/0826) of the U.S. Patent and Trademark Office ("Patent Office").

LITIGATION STATEMENT

As previously stated during Reexamination Control No. 90/013,341, there is a pending litigation for patent infringement against Requester Timney Manufacturing, Inc. involving U.S. Patent 7,293,385. That litigation ("the Litigation"), filed by the Patent Owner in 2012, is before the U.S. District Court for the District of Connecticut. It is captioned *O.F. Mossberg & Sons, Inc. v. Timney Triggers, LLC; and Timney Manufacturing, Incorporated*,[1] Civil Action No. 3:12-cv-00198-VAB. Judge Stefan Underhill has maintained a stay of the litigation due to Timney's "second" Request for *Ex Parte* Reexamination" filed on September 8, 2014, which resulted in Reexamination Control No. 90/013,341.

Respectfully submitted,

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[11065P-REX-005/01]

[1] For ease of reference, Mossberg will refer to these related companies hereinafter as "Timney".