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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
90/013,655 12/10/2015 7293385 80960.0001 4106

27804 7590 12/29/2016
HOLLAND & BONZAGNI, P.C.
171 DWIGHT ROAD, SUITE 302
LONGMEADOW, MA 01106-1700

EXAMINER

JASTRZAB, JEFFREY R

ART UNIT PAPER NUMBER

3993

MAIL DATE DELIVERY MODE

12/29/2016

PAPER

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/013,341	09/08/2014	7293385	80960.0001	2607
27804	7590	12/29/2016	EXAMINER	
HOLLAND & BONZAGNI, P.C. 171 DWIGHT ROAD, SUITE 302 LONGMEADOW, MA 01106-1700			JASTRZAB, JEFFREY R	
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DEC 29 2016

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NOS.: 90/013,341 and 90/013,655, 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)).

JEFFREY R JASTRZAB
Primary Examiner
Art Unit: 3993

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 11/18/16.
 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 2 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. 3. Interview Summary, PTO-474.
2. Information Disclosure Statement, PTO/SB/08. 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 1, 2 and 4 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 issued 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, 4 and 10 have been canceled.

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

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.

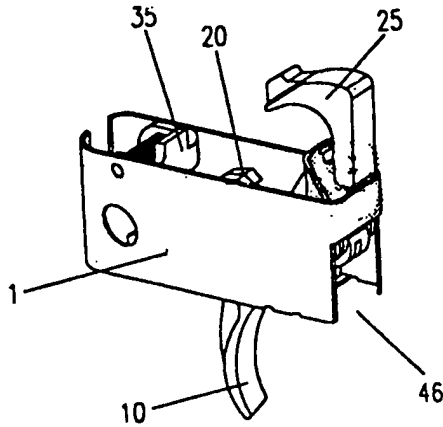
Li et al. Based Rejection

Claims 3, 5-9 and 11-15 stand rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Taiwan 490,847 to Li in view of the AR-15 Schematics, U.S. Patent No. 4,671,005 to Jewell, Benelli Montefeltro Super 90 (American Rifleman Publication) and US. Patent No. 4,103,586 to Tollinger.

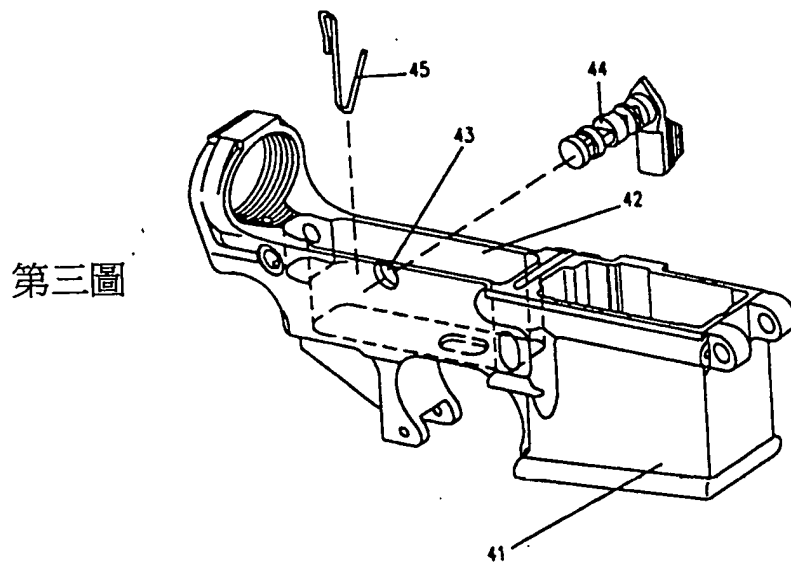
It is to be understood that the limitations from canceled claims 1 and 2 are effectively a part of patent claim 3 based on dependency. They are being considered as follows:

(From Canceled Claim 1)

Li discloses, in an automatic rifle platform (compare to the AR-15 schematics figures) a trigger group module (firing assembly 46) for a firearm of a type having a receiver (lower receiver at 41) that defines a trigger group receiving area between first and second receiver side walls (see Figure 3).



第二圖

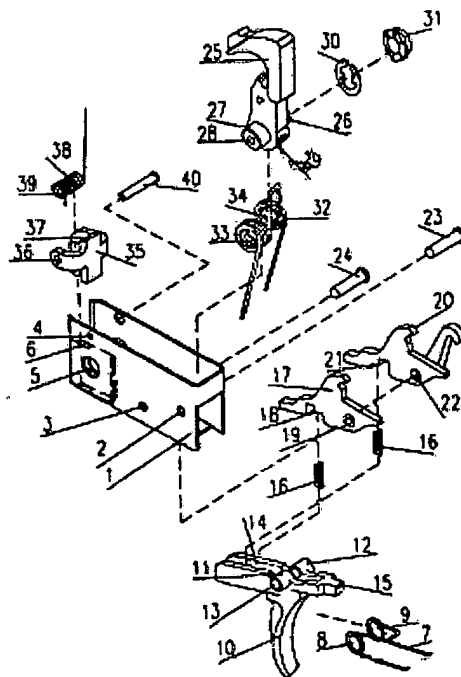


第三圖

Li further discloses a module housing (frame 1), which is adapted to be inserted to an operating position in the trigger group receiving area (as shown in Figs. 2-4). As can be seen in figures 2 and from the phantom lines 3 of Li, the module housing has a lower extremity that is adapted to be 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 (this is this is an intended use limitation

since the receiver is not claimed, yet Li still meets this function as it is capable thereof).

As can be seen from Figure 1, Li additionally discloses a number of trigger group components mounted within the module housing. These components include, inter alia, a hammer (25), a trigger (10), and a hammer spring (32). See Figure 1:



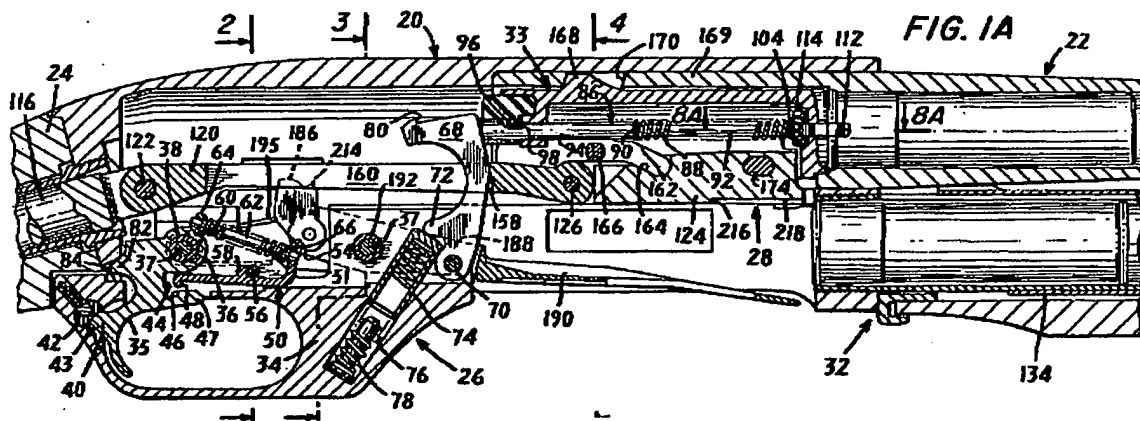
Li discloses a first pin receiver (hole 2) positioned in the module housing that is capable alignment with first pin receptacle openings of a firearm when the module housing is in an operating position (although not shown in the Li lower receiver, note the AR-15 schematics lower receiver contains two pin receptacle openings that receive pins (25) that would align with the trigger component pin holes 2 and 3 of Li in use). (It is

noted that since the firearm is not claimed this is an intended use limitation, thus the receptacle openings are inherently capable of alignment with unclaimed receiver holes.) Li further discloses a first module pin (23) mounted in the first pin receiver on which a trigger group component is supported in the module housing (see figure 1 and the above listed components).

Li explicitly states that the firing assembly is for emergency replacement of the firing body assembly, e.g. translation at [0057], thus those in the art would have appreciated that the trigger assembly is intended to fit in the lower receiver of a firearm platform aligned with the pin openings to attach it to the receiver. Note that such pin openings for removable trigger group components are well known in semi-automatic firearms, such as those shown in the AR-15 Schematics. Li however teaches attachment of the module to the receiver via the selector (44) instead of via module pins and more specifically, via module pins with an opening (as a hollow sleeve such that typical module pins can connect the assembly to the receiver). Thus, it cannot be fairly stated that Li teaches that its first module pin has an opening for alignment with the pin receptacle openings of the firearm (to permit the aforementioned removal as a unit). In sum, Li teaches a similar replaceable trigger module as claimed only with a different mode of attachment to the firearm receiver.

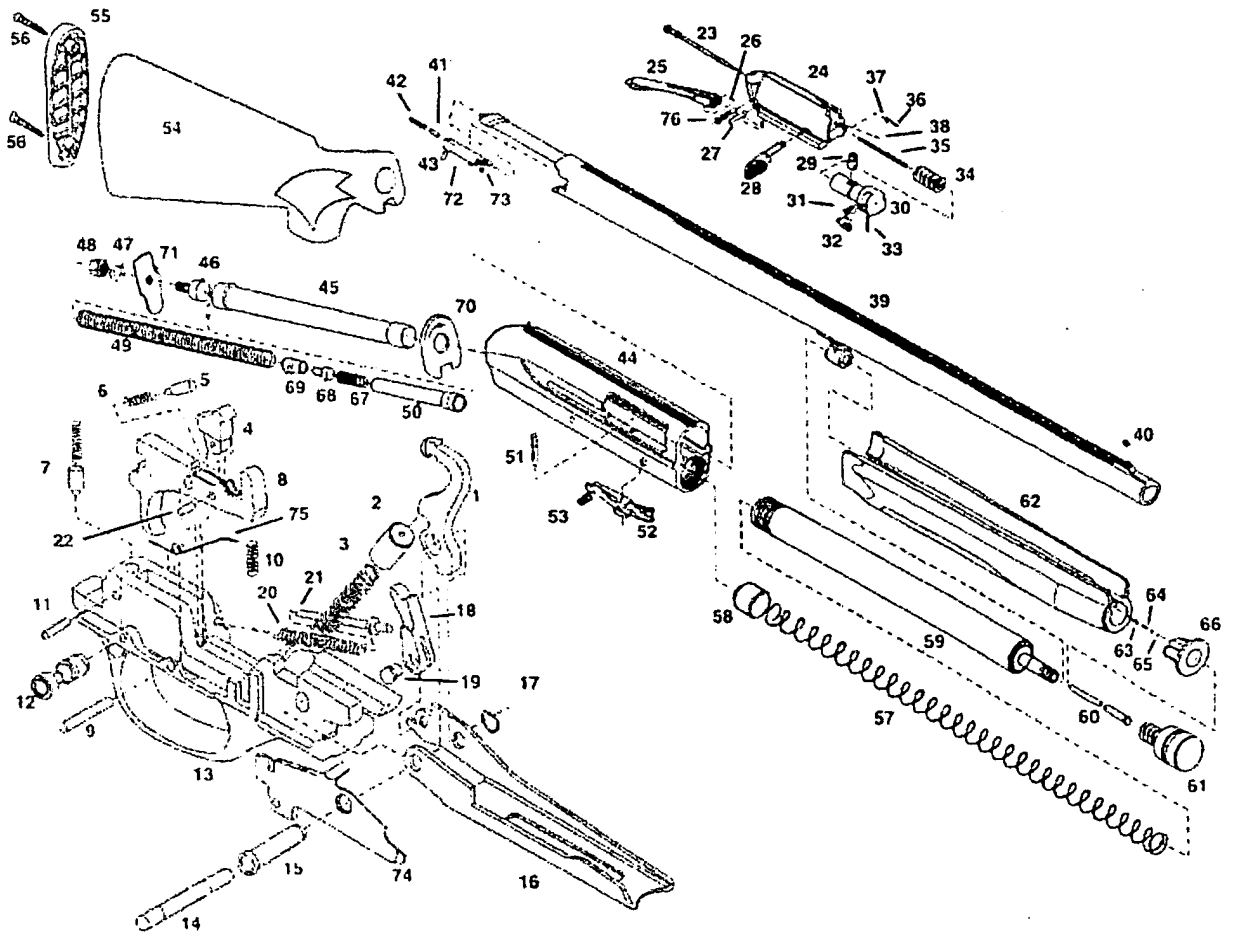
First, the art was fully aware that the pins in a standard AR-15 platform, as evidenced by the AR-15 schematics pins (35), are for supporting trigger components:

teaches that trigger components (as arm lock means (20) can be mounted on a bushing about the pin, such that removal of the pin from the bushing permits removal of the trigger assembly from a trigger receiving area of firearms in general. See Figure 1 of Jewell above. Tollinger goes one step further than Jewell and uses two pins to allow removal of its trigger assembly housing from a firearm receiver, e.g. pins 37 in Figure 1:



Additionally, trigger components are mounted on pin receiving bushings, such as trigger (35) that receives the leftmost pin (37) and pivots about bushing (38) and a shell carrier on the rightmost bushing 192. The bushings however do not permit replacement of trigger housing components after removal from the firearm as the bushings are "fixed in the housing" and thus the bushings themselves cannot constitute pins with openings. However, such hollow pins (bushings) that allow removal of trigger components from a trigger assembly after removal of the trigger assembly from a firearm were also well known in the art as follows:

The American Rifleman publication teaches a hammer (1) mounted between the first module side wall and the second module side wall on a first module pin, i.e. removable bushing (15), for rotation on the first module pin (hollow bushing) and wherein a module pin (14) connects the trigger assembly to the receiver (44) via the bushing/first module pin:



Thus suggesting to those in the art that other trigger group components might similarly be mounted on such a module pin or removable bushing.

It is noted 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. Accordingly, the substitution of the hollow module pin or bushing (15) and its corresponding module pin (14) for the pins 2 and 3 of Li would have yielded the predictable result of connecting the trigger assembly to the stock trigger component attachment openings of an AR-15 platform rifle lower receiver while permitting removal the entire trigger assembly (46) of Li from the firearm (see the AR-15 Schematics) while managing to retain the trigger components in a pivotally mounted relationship within the housing (46) even after removal of the module from the unit, and thus preserving the capability of swapping out trigger components from the Li trigger assembly.

In sum, it would have been obvious, given these combined teachings to have modified the Li trigger housing to use two hollow module pins that permit replacement of trigger components that pivot thereabout while allowing for module pin connection via the hollow module pin holes to the receiver of an AR-15 platform receiver via its stock trigger component holes.

(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*. Li's hole locations are thus inherently capable of the claimed intended use and function.

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.

Regarding the additional limitations set forth in claim 2, Li as modified discloses a second pin receiver in the form of a second opening (3) for a second pin (24). See Figure 1 above. Notably, the openings in Li would align with the second pin receptacle openings of the lower receiver in the AR-15 schematics.

(Claims 3 and 7)

Modified Li discloses a second module pin (bushing as modified by American Rifleman) including an opening which would align with pin receptacle openings of a firearm (AR-15 Schematics) when the trigger group module is in an operating position in the firearm and supporting an additional one of the trigger components as each of the original Li pins 2 and 3 perform such a function.

(Claims 5 and 6)

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

(Claim 8)

See the Li Safety (44) mounted on the receiver (41) and engaging a trigger component in Li Figures 3 and 4.

(Claim 9)

Those in the art would have known that the lower receiver inherently attaches to an upper receiver in the applied AR-15 platform.

(Claim 11)

Modified Li is applied as above to the like limitations of Claim 1. As to the 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 note hammer (25) mounted on the first module pin 24; as to the 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, note the module pin (23). Li modified to include the American Rifleman Publication module pins or bushings in place of the stock pins would meet the "mounted on" and "openings" limitations.

(Claim 12)

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

(Claim 13)

See the application of Li et al. to Claims 1 and 5 above.

(Claim 14)

See the application of Li et al. 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 Li et al. to Claims 1, 5 and 11 above.

Response to 11/18/16 Arguments

Patent Owner's arguments as well as the fourth Bredbury Declaration have been fully considered but are not persuasive.

In response to applicant's arguments against the Li reference individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The Office action clearly establishes that the AR-15 schematics document already teaches replaceable trigger components in an AR-15 lower receiver, wherein the trigger components are mounted in two pin receptacle openings. Given the removable trigger housing teachings in different types of firearms of both Li and Jewell, it is maintained that those in the art would have been motivated to implement such a removable trigger housing in the AR-15 platform.

It is noted that Patent Owner contests the characterization in the previous Office action that the Li firearm is an AR-15 platform rifle. While it is agreed that the Li teaching provides an automatic firearm rather than a semi-automatic rifle, it is maintained that the general platform is the same. Compare Li's figure 3 to the receiver in that of the AR-15 schematics. Keeping in mind, as Patent Owner is well aware, that the AR-15 is derived from the M-16 automatic rifle, which, as noted in the Bredbury is

also the basis for the Taiwanese T86 of Li (Bredbury Dec. 4 at 15), those in the art would have readily appreciated that the trigger group receiving area of the lower receiver is virtually identical but for the width. Nonetheless, responsive to Patent Owner's argument, the reference to Li being an AR-15 is removed from the rejection, however the reliance upon its platform in general and the general teaching of a removable trigger group in other types of firearms remains. Those in the art would clearly have understood from Li that a similar removable trigger housing would have been applicable to similar firearms platforms, especially those derived directly therefrom, such as the AR-15 platform, with minimal design effort well within the abilities of those having ordinary skill in the art at the time of the invention.

Patent Owner's argument that Li's lower receiver does not have trigger and hammer pin holes is noted, however, the lack of those elements is not germane to the rejection as the AR-15 schematics establish that such holes were well known in the AR-15 platform receiver for allowing trigger component replacement. Again, attacking the references individually does not properly refute an obviousness rejection over multiple teachings.

As to the comment that the Li module does not fit in an AR-15 lower receiver due to the different design, while it is recognized that the Li teaching is not an AR-15, it is maintained that those in the art would have understood from Li's replaceable trigger housing component teaching the applicability to the similar AR-15 platform. It is what the combined teachings would have led those in the art to understand at the time of the invention, not solely what Li provides, or is capable of performing that is important. The

Declaration's argument that modification of Li would destroy its function it noted, but not persuasive. It is maintained that those of ordinary skill in the art would have understood how to implement such a removable trigger housing in the AR-15 platform by appropriately modifying the housing to accommodate that platform's firing requirements.

Moreover, the AR-15 and semi-automatic platform limitations only pertain to claims 13-15, thus these specific arguments based on Li are not relevant to the other claims at issue that more generically call for "a firearm", i.e. Claims 3, 5-9, 11 and 12.

In sum, this rejection is made Final.

Jewell et al. Based Rejections

Claims 5, 6, 8 and 9 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), and as further evidenced by the AR-15 Schematics as evidenced by Taiwan Patent No. 409847 to Li.

(Claim 5)

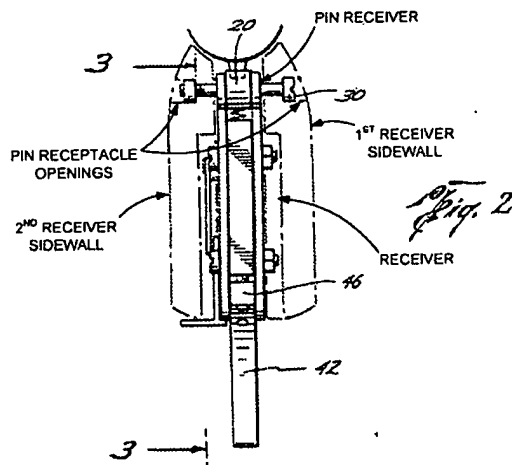
Claim 5 sets forth the recited firearm in a structural manner in combination with the module.

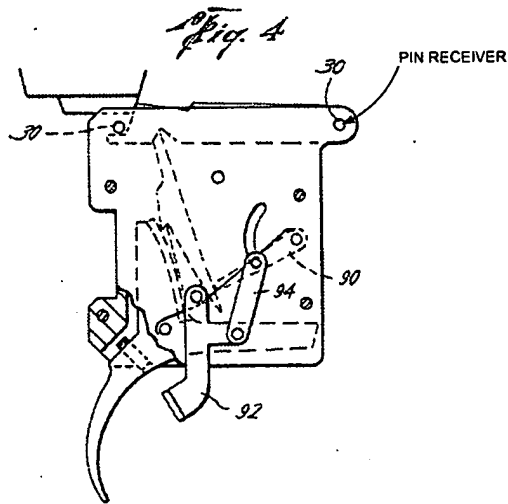
Jewell discloses a firearm (rifle 12). The firearm has a receiver formed in the stock (16) (see Fig. 1). The receiver defines a trigger group receiving area between a first receiver side wall and a second receiver side wall (see Fig. 2). Although Jewell

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)





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 Prior 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.

Response to 6/22/16 Arguments and Discussions in the Interview of 8/23/16

Patent Owner continues to assert, via the Bredbury declarations as well as via the in-person interview statements of Mr. Bredbury, that the receiver in Jewell is does not include the trigger receiving area of the stock in the reference. In response, the area below the standard receiver in a bolt action still constitutes a region for receiving the trigger module of Jewell. Thus even if it is not standard industry practice to call this area the trigger receiver, it nonetheless is functionally equivalent to a lower receiver in that it too performs the function of receiving a trigger group. As requested, evidence of such an art recognized interpretation is found by the similar nomenclature in the art of record to Tollinger, who refers to the entire action area, including the trigger receiving area, as the receiver, e.g. at column 4, lines 63-64: "*The trigger housing assembly 26 includes a housing 34 removably mounted in the receiver 20*". Tollinger, like Jewell, is

not limited to shotguns, but more generally refers to semi-automatic firearms as well. In comparing the trigger receiving area of the subject patent and that of the likes of Jewell and Tollinger, one can readily see that two parallel walls are the minimum that is required to receive a trigger module. Thus, it is maintained that an area of the firearm that receives a trigger assembly can be broadly considered a trigger receiving area or trigger receiver without destroying the intent of Jewell or the accepted terms of the art.

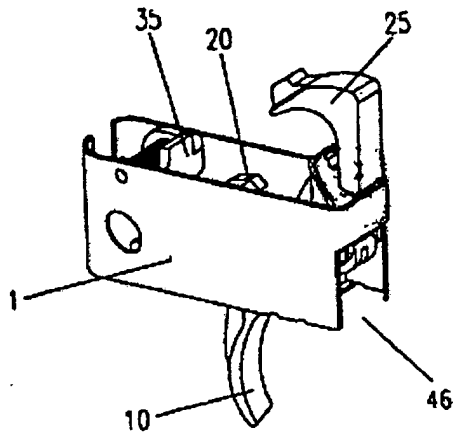
Moreover, the rejection applies to other types of firearms in general as called for by Jewell, including those with lower receivers. Thus the arguments to Jewell's bolt action example do not reach the latter.

Patent Owner's argument that the statement in Jewell that the trigger module can be used in "*a Mauser, bolt action rifle, it being understood that the trigger assembly can be easily modified for use with other types of firearms*" means that the assembly can be used in other types of bolt-action firearms is not persuasive. It is the Examiner's position that this statement is more far-reaching to include all types of firearms and that those in the art would have understood how to make the appropriate modifications to the Jewell assembly to fit other firearms, despite differences in imparting impact to the cartridge, whether bolt, hammer or otherwise. Patent Owner's arguments here all related to the Mauser bolt-action, but even if the Examiner's first position regarding the lower trigger receiving area were not accepted, certainly the receivers of other firearms as applicable still are relevant.

That said, evidence of such a known modification is provided in the form of the Taiwan Patent No. 409,847 to Li. Li establishes that modular trigger housings were in

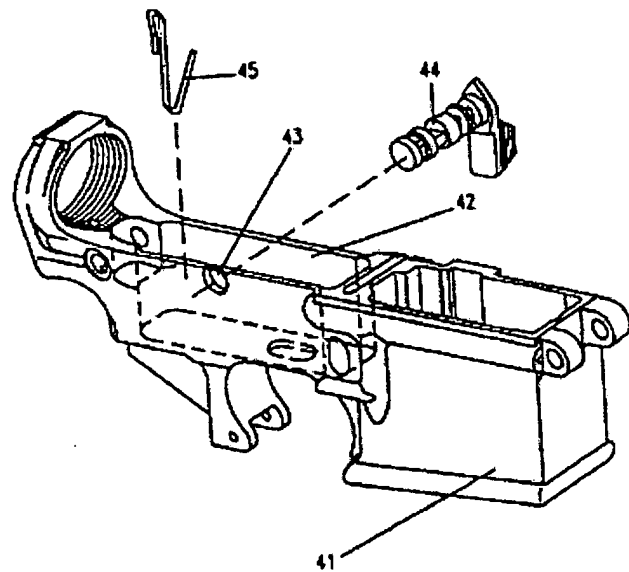
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fact known at the time of the invention for other types of firearms such as the platform
as shown in figures 3 and 4, for example, reproduced below:



第二圖

第三圖



This is in direct contradiction to Patent Owner's contention that those in the art would not have understood how to modify Jewell to fit other types of firearms. Accordingly, Li proves that those in the art at the time of the invention were not only capable of performing the modifications suggested in the rejection, but more

importantly, were aware of such use in a lower receiver, or trigger receiving area, of a firearm. This evidence addresses the point in the supplemental response regarding the insertion of the trigger assembly into the AR-15 platform from the top rather than the bottom as in Jewell's bolt action example.

Patent Owner's remaining argument as to the Jewell trigger components being supported "by" the pin rather than "on" the pin have been considered but are not persuasive as it appears that the scope of the limitation is the same in both respects.

Response to 11/18/16 Arguments

Patent Owner's continued arguments as to the interpretation of Jewell's trigger housing receiving area as being a receiver are noted, but remain unpersuasive. It is maintained that the region that accepts or receives the trigger housing can be considered a trigger housing receiver. Further, it is maintained, that even if Jewell's trigger receiving area cannot be considered a receiver, those in the art would have understood from Jewell's explicit mention that the general teaching of a removable trigger group housing is applicable to other types of firearms: *"(t)he trigger assembly 10 can easily be adapted for use in other types of firearms...."* would have made it applicable to those with lower receivers. The Examiner disagrees with the arguments of Mr. Bredbury that statement this only refers to other types of "bolt action firearms". As noted earlier, removable trigger housings were known for other types of firearms as shotguns and automatic rifles per Tollinger and Li. Accordingly, those in the art were certainly aware that those teachings would also be applicable to firearms platforms

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having a lower receiver. Also of note, Claims 11-14 only claim the trigger group module, thus any arguments based on the references to the unclaimed rifle are irrelevant.

Similarly, the arguments based on Walker are not persuasive as it is maintained that those in the art would have understood the Jewell teaching of applicability to other types of firearms to include those with lower receivers as the AR-15 platform.

As to the arguments that all parts in Jewell would have to be modified and that the proposed modification cannot change the principle operation of Jewell, these arguments again are attacking the Jewell reference without consideration as to what other knowledge those in the art were aware of at the time of the invention. The art was already fully aware of removable trigger components in an AR-15 platform based on the AR-15 schematics as well as the admissions in the subject patent's own background of the invention. Further the art was fully aware of removable trigger housings in the predecessor platform to the AR-15 based on the Li teachings as well as such housings in all firearms in general based on the Jewell teaching. Again, Jewell explicitly suggests the modification for use in other firearms. It would have been well within the capacities of those having ordinary skill in the art at the time of the invention to remove the trigger components from the AR-15 platform's receiver and modify them to fit in a removable housing based on the combined teachings here. Jewell merely amplifies the point that the art was well aware of how to implement such a modification by making the trigger components pivot on pins that pass through the trigger group housing. Certainly those in the art, would have known how to take the already rotating on pin trigger group

components of the AR-15 and apply the Jewell teachings thereto to arrive at a replaceable trigger module. Such a modification would not destroy the teachings or operation of Jewell when the modification is explicitly suggested by Jewell.

The argument that Jewell teaches against adding a second pin again attacks Jewell without considering the teachings of the rejection as a whole. As such, this argument too is not persuasive.

Patent Owner's arguments against Tollinger and Benelli are not relevant to the rejection. Those references are used to establish the known method of using multiple pins in a firearm, in general, for removing trigger components. The fact that those components are not in a sealed module housing is irrelevant here. Thus these arguments are not persuasive.

As to Claim 8 and the reasoning that no part of the Jewell safety is directly mounted on the receiver, the rejection acknowledges this fact with the teaching of Biller establishing that the art was well aware of such a configuration. The arguments again attack Jewell without acknowledging the Biller teaching. As such, it is maintained that making the noted changes to Jewell would have been obvious based on the Biller teaching. The additional arguments based on modifications to an AR-15 are no more persuasive since the AR-15 platform is not claimed in Claim 8.

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 as evidenced by Taiwan Patent No. 409847 to Li for the reasons noted above.

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.

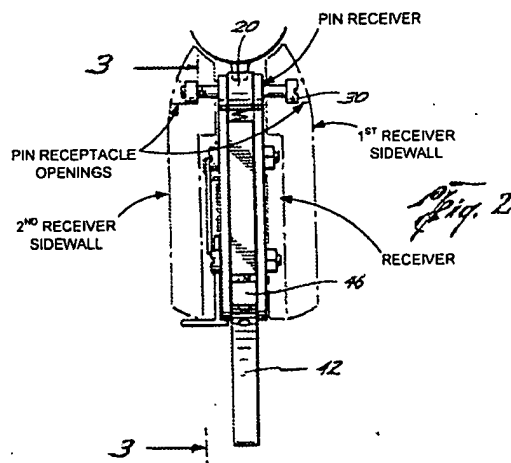
Moreover, and possibly more importantly, Jewell's trigger assembly is not limited to use in a Mauser-type bolt action rifle. Jewell specifically states that the trigger assembly is applicable to other firearms: "*(t)he trigger assembly 10 can easily be adapted for use in other types of firearms....*".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

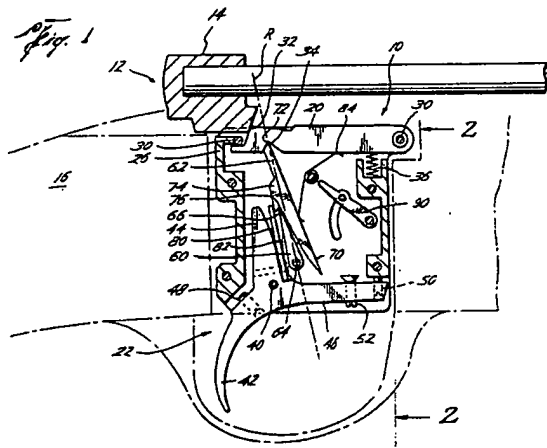
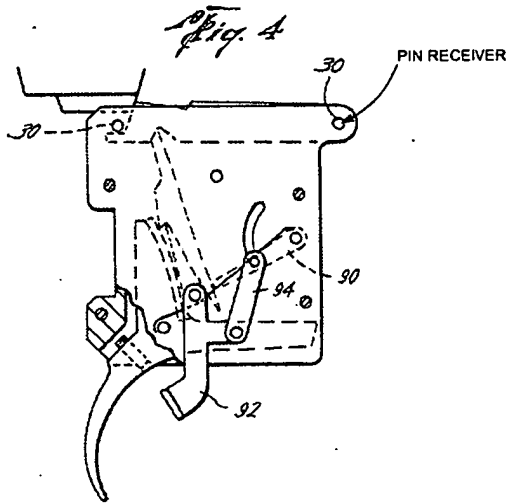
Jewell additionally discloses a number of trigger group components mounted within the module housing. These components include an arm lock means (20), a trigger piece (22), and a link mechanism (24) (see col. 4, lines 1-3).

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)

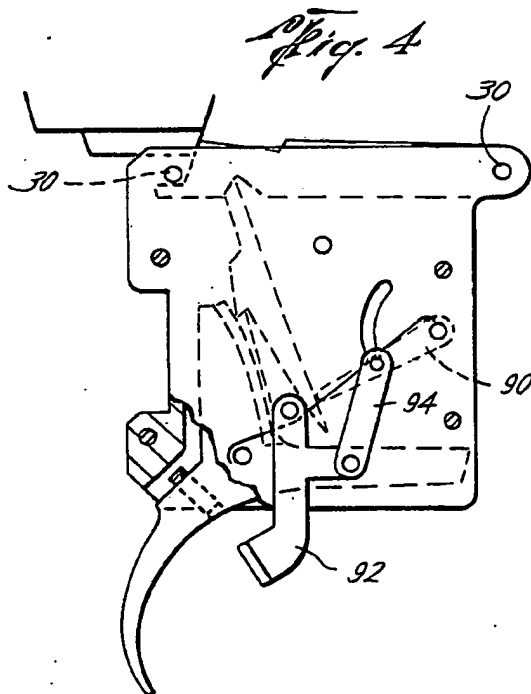
Claim 2 is to a trigger group module *for* a firearm. Accordingly, the trigger group module is structurally set forth in claim 2, whereas the firearm in this claims is read not as *structure* but as *intended use*. Therefore, the recitations in claim 2 of the locations of the module or module's components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

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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

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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.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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 this Office action, which is 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/
Jeffrey R. Jastrzab
Reexamination Specialist
Central Reexamination Unit 3993


Conferees: /BMF/ and /EML/

Reexamination 	Application/Control No. 90/013,341 and 90/013,655, merged	Applicant(s)/Patent Under Reexamination 7293385
	Certificate Date	Certificate Number

Requester Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party
Holland & Hart, LLP 222 South Main Street, Suite 2200 Salt Lake City, UT 84110		

LITIGATION REVIEW <input checked="" type="checkbox"/>	<i>/JRJ/</i> (examiner Initials)	012/07/2016 (date)
Case Name	Director Initials	
CLOSED - O.F. Mossberg & Sons Inc. V. Mecharmor Defense Sys. 3:16cv813	GAS for JRC	
OPEN - O.F. Mossberg & Sons, Inc. V. Mecharmor Defense Sys. 5:16cv813	GAS for JRC	
OPEN/STAY (8/16/16) O.F. Mossberg & Sons, Inc. V. Franklin A.H. 3:16cv766	GAS for JRC	
CLOSED - O.F. Mossberg & Sons, Inc. V. Rise Manufacturing LLC 3:16cv768	GAS for JRC	
OPEN - O.F. Mossberg & Sons, Inc. V. Ke Arms, LLC 3:16cv770	GAS for JRC	
OPEN/STAY (8/16/16) O.F. Mossberg & Sons V. 2360216 Ontario 3:16cv771	GAS for JRC	
CLOSED - O.F. Mossberg & Sons, Inc. V. T Vehr Manufacturing LLC 3:16cv772	GAS for JRC	
OPEN - O.F. Mossberg & Sons, Inc. V. Doa Arms LLC 3:16cv773	GAS for JRC	
OPEN/STAY (8/16/16) O.F. Mossberg & Sons, Inc. V. Patriot O. F. 3:16cv747	GAS for JRC	
OPEN - O.F. Mossberg & Sons, Inc. V. Elftmann Gun Products LLC 3:16cv748	GAS for JRC	

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	Certificate Date	Certificate Number

LITIGATION REVIEW <input checked="" type="checkbox"/>	/JRJ/ (examiner initials)	012/07/2016 (date)
Case Name		Director Initials
OPEN/MOTION TO STAY (8/18/16) O.F. Mossberg & Sons, Inc. V. Black Rain Ord. 3:16cv749		GAS for JRC
OPEN - O.F. Mossberg & Sons, Inc. V. Tactical Fire Control, Inc 3:16cv750		GAS for JRC
OPEN/MOTION TO STAY (8/22/16) O.F. Mossberg & Sons, Inc. V. Battle Tested Equipment LLC 3:16cv751		GAS for JRC
OPEN - O.F. Mossberg & Sons, Inc. V. Hogan Manufacturing LLC 3:16cv752		GAS for JRC
OPEN/STAY - O.F. Mossberg & Sons, Inc. V. Timney Triggers, LLC 3:21cv198		GAS for JRC

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1. Reexamination	90/013655

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