

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**37 C.F.R. 1.130(a) DECLARATION OF ATTRIBUTION**

I, the undersigned, hereby declare the following:

- 1) My name is *<Inventor Name>*.
- 2) *<Declare Facts Showing Inventor Qualifies as an Expert in The Technology>*
- 3) I have reviewed the present non-final Office Action dated *<Date>*, in the present US Patent Application No. 12/345,678.
- 4) I have reviewed the disclosure in the following US patent reference cited by the Examiner: *<Cited Patent Reference>*.
- 5) I have reviewed the present US Patent Application No. 12/345,678, and in particular I have reviewed the claims *<Claim #'s>*.
- 6) *<Cited Patent Reference>* is the only cited prior art reference relied on in the rejections of the presently claimed invention. Specifically, claims *<Claim #'s>* were rejected under 35 U.S.C. **102(a)(2)** as being anticipated by *<Cited Patent Reference>*. Dependent claim *<Claim #>* was rejected under 35 U.S.C. **103** as being unpatentable over *<Cited Patent Reference>*.
- 7) I, *<Inventor Name>*, was an inventor of both the disclosure in the US patent to *<Cited Patent Reference>* and the disclosure of the presently claimed invention. More specifically, I was the **only** inventor of the claimed *<Invention Point of Novelty Feature>* that is recited in the presently claimed invention. I also was the **only** inventor of the disclosed *<Invention Point of Novelty Feature>* in the disclosure to *<Cited Patent Reference>*.
- 8) Under 37 CFR 1.130(a) a **Declaration of Attribution** will support a claim to an **Exception** to a Rejection under 35 U.S.C. 102(a)(1) -Disclosure With Prior Public Availability Date, the Exception being under 35 U.S.C. 102(b)(1)(A) - Grace Period Disclosure By Inventor or Obtained from the Inventor.
- 9) Under 37 CFR 1.130(a) a **Declaration of Attribution** will support a claim to an **Exception** to a Rejection under 35 U.S.C. 102(a)(2) / 103 –Disclosure in a US Patent With Prior Filing Date, the Exception being under 35 U.S.C. 102(b)(2) (A) / 103 - Grace Period Disclosure By Inventor or Obtained from the Inventor.

- 10) **Claim to Exception** Since I am the **only** inventor of the claimed *<Invention Point of Novelty Feature>* that is recited in the claimed invention, and disclosed in the cited *<Cited Patent Reference>* reference, I hereby claim an **Exception** to the present Rejection of the claimed inventions in claims *<Claim #'s>* under 35 U.S.C. **102(a)(2)** as being anticipated by *<Cited Patent Reference>*.
- 11) **Claim to Exception** Since I am the **only** inventor of the claimed *<Invention Point of Novelty Feature>* that is recited in the claimed invention, and disclosed in the cited *<Cited Patent Reference>* reference, I hereby claim an **Exception** to the present Rejection of the claimed invention in claim *<Claim #>* under 35 U.S.C. **103** as being unpatentable over *<Cited Patent Reference>*.

I, the undersigned, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_