

Exhibit 4

DECLARATION OF EDWARD KAZENSKE

I, **EDWARD KAZENSKE**, declare as follows:

1. I make the following declaration based on personal knowledge.

My Background.

2. I presently reside in Sarasota, Florida.

3. I graduated from the University of Illinois with a Bachelor of Science degree in Aeronautical and Astronautical Engineering in 1971. I also graduated from the Senior Managers Program at the John F. Kennedy School of Government at Harvard University in 1996.

4. I started to work for the U.S. Patent and Trademark Office ("PTO") in 1972 as a patent examiner and I left the PTO in 2005 (after 33 years). In 1982, I became a Supervisory Patent Examiner ("SPE").

5. In 1994 I served as Chief of Staff. From 1994-1997 I served as Deputy Assistant Commissioner for Patents. During this time, I was head of patent operations. In 1997-1998, I continued to serve as Deputy Associate Commissioner for Patents. In 1999, I was appointed Chief Financial Officer for the PTO.

6. From 1995 to 1998 until his resignation, I served Bruce Lehman, the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks. From 1999 to 2005, after Commissioner Lehman resigned from the PTO in 1998, I was reassigned by Director Dickenson to be a Deputy Assistant Commissioner for Patent Resources and Planning responsible for all patent budget and financial management, strategic operational directions, and business information technology utilization. I no longer had responsibility as the head of patent operations.

1 7. In 2005, I retired from the PTO and joined Microsoft as the Senior Director of
2 Patent Prosecution Strategy and Relations in their Intellectual Property and Licensing Group.

3 8. I have received numerous awards including the Presidential Rank Award from
4 President Bush in 2001.

5 9. I attended many patent-related functions and meetings of organizations such as
6 the American Intellectual Property Law Association ("AIPLA"), Association of Corporate Patent
7 Counsel ("ACPC"), and the American Bar Association ("ABA") throughout the 1990s and the
8 2000s until I left the PTO in 2005. I met with many leaders in the patent profession, including
9 former Commissioner of Patents and Trademarks Mossinghoff, and they voiced their concerns
10 with the patent system, including their concerns about submarine patents. These patent leaders
11 were particularly concerned about and voiced their concerns to me about Jerome Lemelson and,
12 to a lesser extent, Gilbert Hyatt. These applicants had unpublished patent applications pending at
13 the PTO with old effective filing dates. The leaders in the patent profession were concerned that
14 patents by Mr. Lemelson and Mr. Hyatt, if issued, would be asserted for large licensing fees
15 contrary to the established reciprocal licensing patterns of large companies which involved non-
16 controversial licensing between large companies and often cross-licensing between large
17 companies. I heard submarine comments mostly related to small entities or individuals. Oddly,
18 no company ever confirmed any actualization of submarine patents effecting their bottom line or
19 jobs. The lobby was more 'theoretical' in nature. In my experience, even some industries
20 including the Biotech industry were accused of submarine filing.

21 10. Throughout my various positions in Senior Management, many large companies
22 and the patent professional groups lobbied Commissioner Lehman and me to put an end to
23 issuing submarine patents. The lobbying included concerns about jobs and expensive litigation,
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1 attempting to convince Commissioner Lehman and me that issuing submarine patents would
2 affect jobs, potentially cause layoffs, and result in expensive litigation. Former Commissioner
3 Mossinghoff, who was with the Oblon law firm at the time, telephoned me in the mid-1990s. It
4 was well known that the Oblon law firm represented many major multi-national Japanese
5 companies in the mid-1990s. Mr. Mossinghoff was very worked up about submarine patents.
6 He told me that the PTO must stop issuing submarine patents.

7 11. I attended many meetings in Senior Management offices at the PTO, including in
8 Commissioner Lehman's office and in my office, from 1984 through 1997 and thereafter in
9 which we were lobbied, in large part by representatives of large American and Japanese
10 companies. I was lobbied by members of the patent profession at meetings, conferences, and
11 other events from 1984 through 1997 and thereafter. This lobbying came to a head in April 1997
12 when Congress was debating new patent legislation in H.R. 400 that, among other provisions,
13 would have mandated publication of all pending patent applications 18 months after their filing
14 date. Proponents of the bill saw these provisions as a solution for harmonizing with other
15 systems of the World, long pendency of patent applications in the PTO, and putting an end to
16 submarine patents.

17 **I spoke at the 1997 Franklin Pierce Conference.**

18 12. I spoke at the Franklin Pierce Conference held on April 11-12, 1997 (the
19 "Conference").

20 13. I stated at the Conference that industry looks at the PTO "as a vessel that evolves
21 and helps you, the customers, navigate your future business and its growth." Leaders in the
22 patent profession looked at the PTO as an avenue for alleviating submarine patents to applicants
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1 like Mr. Hyatt and strongly lobbied Congress, Commissioner Lehman, and me to stop issuing
2 submarine.

3 14. I stated at the Conference that “you have seen a world in which knowledge and
4 technology is a driving force” I also discussed at the Conference the subject of House bill HR-
5 400 (“HR-400 will probably be on the floor [of the House for a vote] next week.”) Industry
6 believed HR-400 would further limit submarine patents. HR 400 was slated for a vote and was
7 debated on the House floor in Committee of the Whole House on April 17, 1997. See the 143
8 Cong. Rec. H1629-1684 (April 17, 1997). The submarine issue was so heavily debated inside
9 and outside Congress that the PTO was under intensive pressure to stop issuing what was labeled
10 as submarine patents and Mr. Hyatt’s patent applications were caught in this debate. During this
11 critical period before the passage of the legislation, Commissioner Lehman and I decided that no
12 patents should issue to Mr. Hyatt while this legislation was pending and until all of Mr. Hyatt
13 patent applications could be consolidated for further examination.

14 **My Involvement With The Transition To The 20 Year Patent Term.**

15 15. In my capacity as the Deputy Assistant Commissioner for Patents, I was in charge
16 of the PTO’s transition to the 20 year patent term in 1995 and thereafter. I was also in charge of
17 reviewing 37 CFR 1.129 (“Rule 129”) that then-Commissioner Lehman signed on April 25,
18 1995.

19 16. In 1994 and thereafter, I was in charge of the interface between the PTO and the
20 examiner’s union, the Patent Office Professional Association (“POPA”). I reviewed and accepted
21 a negotiated agreement with POPA regarding the transition to the General Agreement on Tariffs
22 and Trade (“GATT”) treaty and on April 13, 1995, I signed an agreement with POPA on behalf
23 of the PTO as the Deputy Assistant Commissioner for Patents.

1 17. My Involvement With Mr. Hyatt's Patent Applications.

2 18. Commissioner Lehman was head of the PTO from 1994 to 1998. Commissioner
3 Lehman disliked submarine patent applications. Commissioner Lehman stated that submarine
4 applicants were "extortionists" and he used other related terms. Commissioner Lehman used his
5 opposition to submarine applications to help get the GATT legislation passed in 1994, which
6 went into effect on June 8, 1995. GATT had a patent term provision that was believed to limit
7 submarine patents by changing the patent term from seventeen years from issuance to twenty
8 years from the effective filing date.

9 19. In 1994 through 1998, I was Commissioner Lehman's Chief conduit to the entire
10 PTO. Commissioner Lehman told me to put his ideas, including eliminating submarine patents,
11 into effect. April 1997 was the time that Congress was debating more aggressive patent
12 legislation including further limiting the remnants of the submarine patents. Mr. Lemelson was
13 the most known submarine patent applicant ("submariner.") After Mr. Lemelson died in 1997,
14 Mr. Hyatt was considered the most prominent submarine applicant. I was very concerned about
15 issuing submarine patents that could reflect poorly on the PTO. During this time, I was aware
16 Mr. Hyatt had won Board reversals at the Board of Patent Appeals and Interferences (the
17 "Board") and I ordered PTO Group Directors to 'defer' issuing Mr. Hyatt patents on the
18 appealed applications with these reversals. I was concerned about issuing submarine patents
19 during the debate over important patent legislation in Congress where, among other things,
20 submarine patents were to be addressed.

21 20. In the mid-1990s, Group Director Joseph Rolla told me about problems with the
22 examination of Mr. Hyatt's patent applications. He told me something to the effect of -- "Hyatt
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1 is another Lemelson, Hyatt had a lot of applications and a lot of claims and very old effective
2 dates.”

3 21. Group Director Gerry Goldberg was implementing a plan to quickly understand
4 rapidly advancing technology applications and to help deal with the “Bubble” (transitional or
5 Pre-GATT) patent applications in 1995. His plan arranged for patent examiners to have pre-first
6 action interviews with patent applicants or patent practitioners to quickly identify patentable
7 subject matter and to quickly issue patents where warranted (the “Early Interview Program”).
8 Patent attorneys were reluctant to participate because they first wanted to see the examiners’ art
9 of record before they had an interview. They did not want to schedule an interview and
10 prejudice their claims. I understood that Mr. Goldberg’s view was to expedite these technology
11 cases and for an examiner to quickly get an understanding of these applications and to quickly
12 get up to speed. The effect of the Bubble was small because there was a reduction of the filing of
13 patent applications following the Bubble because many continuing applications that would have
14 been filed in the latter part of 1995 were instead filed in the earlier part of 1995 partially
15 averaging out the Bubble.

16 22. The Office of Patent Publication detected four of Mr. Hyatt’s patents issuing in
17 1997 and 1998 and withdrew these four patents from issuance. See the withdraw letters attached
18 hereto in Exhibits 1-4.

19 23. In order to make sure that patents would not be issued to Mr. Hyatt inadvertently,
20 I made sure that Board decisions favoring Mr. Hyatt would be deferred from issuing and I
21 arranged for Group Director Nicholas Godici and Mr. Rolla to detect any of Mr. Hyatt’s issuing
22 patents that reached the Office of Patent Publication to be withdrawn from issuance.

1 24. Mr. Godici also expressed the same problematic issues surrounding Mr. Hyatt's
2 patent applications. Whereas Mr. Rolla was more of a "patent purist," Mr. Godici took into
3 account the PTO's reputation and industry concerns. Mr. Godici briefed me that Mr. Hyatt's
4 patent applications were voluminous (large disclosures with many claims), that the technology
5 had little if any relevant prior art, that Mr. Hyatt's patent applications were dispersed throughout
6 multiple Technology Centers ("TCs") and Art Units at the PTO, and that Mr. Hyatt's patent
7 applications were considered submarine applications with old effective priority dates.

8 25. In 1997, Commissioner Lehman and I were being extensively lobbied by industry
9 and patent bar representatives, urging that submarine patents were very troublesome. I was told
10 by these representatives that submarine patent applications, if issued, would be disruptive to
11 industry and that, "if Hyatt receives an injunction against us [the company], we would have to
12 fire employees." In addition, these representatives complained that their companies put a lot of
13 money into R&D and submarine patents could render their R&D worthless. I had no way to
14 know if these representatives' concerns about jobs was accurate. To this day, I have not seen
15 any evidence that submarine patents would affect jobs or the economy.

16 26. I was briefed by Mr. Godici and Mr. Rolla that Mr. Hyatt had inventions with
17 early priority dates.

18 27. I was familiar with the negative opinion that the PTO, the industry, and the
19 politicians had about submarine applicants like Mr. Hyatt. Many of my colleagues at the PTO
20 were negative against Mr. Hyatt and his patent applications. Mr. Hyatt was well known as a
21 submarine applicant and submarine applicants were discussed in a negative light. For example,
22 Steve Kunin, James Dwyer, and other managers on occasion referred to Mr. Hyatt's applications
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1 as "submarine applications." These same colleagues knew of the order not to issue any more
2 patents to Mr. Hyatt until we had a handle on all of his applications together.

3 28. In this environment, I ordered the Examining Corps not to issue patents to Mr.
4 Hyatt while important legislation was pending in Congress and until his applications were
5 thoroughly examined as a group. I then proceeded to arrange for Mr. Hyatt's patent applications
6 to be examined as a group, housed in what became to be called the "Hyatt room."

7 29. In addition to setting up the "Hyatt room," I authorized the establishment of a
8 "Hyatt unit" to provide more efficiency and consistency for the examination of Mr. Hyatt's
9 applications. The outcome was that Mr. Hyatt's applications were brought together in Art Units
10 2698 and 2999, called "Shadow Art Units," to keep control of his applications, to keep pendency
11 from negatively impacting the statistics of Group Directors, and to keep Mr. Hyatt's patent
12 applications from issuing.

13 30. These Shadow Art Units were paper Art Units, they were Art Units on paper only,
14 and they did not have examiners assigned to them. These Shadow Art Units were not included in
15 pendency statistics or routine PTO "tickler" reports that are audited by internal PTO
16 departments, such as Senior Management, and external audits, such as by the General
17 Accounting Office (the "GAO") and by the office of the Inspector General of the Commerce
18 Department (the "IG").

19 31. In 1997, I laid out my plan to Mr. Godici and Mr. Rolla in a meeting – not to issue
20 any patents to Mr. Hyatt until all of his patent applications were consolidated and until all issues
21 could be fully coordinated and resolved. My plan to resolve all issues with Mr. Hyatt's patent
22 applications was not completed by the end of 1999 at which time I was reassigned by
23 then-Director of the PTO J. Todd Dickenson to financial management responsibilities and was
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1 no longer responsible for the examination of Mr. Hyatt's patent applications. I understood at that
2 time that the examination of Mr. Hyatt's patent applications had not been progressing and I was
3 concerned that my successor would not follow through on my plan. Thus, Mr. Hyatt's patent
4 applications sat idle in the Shadow Art Units – out of sight and out of mind.

5 32. In early 1997, I briefed then-Commissioner Lehman about my plan. He liked the
6 idea. Part of Mr. Lehman's opinion was that consolidation would take time and keep Mr.
7 Hyatt's applications from advancing to a pressure point during the time we were dealing with
8 contested legislation in Congress. With Commissioner Lehman's consent, I ordered the
9 Examining Corps not to issue any more patents to Mr. Hyatt without my approval. I intended to
10 make sure that Mr. Hyatt's patent applications were all fully examined as a group before any one
11 of them was issued. I never approved issuing any of Mr. Hyatt's patent applications and I never
12 rescinded that order to the Examining Corps not to issue any more patents to Mr. Hyatt without
13 my approval.

14 33. My deepest concern was allowing Mr. Hyatt's patent applications for issuance
15 while important patent legislation was pending in Congress. Then-Commissioner Lehman and I
16 discussed that issuing patents to Mr. Hyatt would result in severe criticism of the PTO about
17 issuing submarine patents and would interfere with pending patent legislation, such as H.R. 400
18 and PTO appropriations legislation.

19 34. By 1999 I had been reassigned to financial duties and was no longer responsible
20 for the examination of Mr. Hyatt's patent applications. Furthermore, Commissioner Lehman
21 resigned from the PTO at the end of 1998. I did not hear that my order restricting issuance of
22 any patents to Mr. Hyatt had changing during the remainder of my Senior Management career at
23 the PTO through the time of my retirement in 2005. My understanding is that the order not to
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1 issue any more patents to Mr. Hyatt without my approval continued through my retirement in
2 2005.

3 35. Another reason Mr. Hyatt's applications were placed into "phantom art units" was
4 to mask them from reports that would reflect poorly on performance Group Directors based on
5 some of these measures. Status reports would include measures that impacted pendency without
6 explanation for the delays. The PTO's delays in examining Mr. Hyatt's applications were
7 adversely impacting reported pendency, which would have caused Group Directors and their
8 staff to lose bonuses. Group Directors were reluctant to be rated based on Mr. Hyatt's
9 applications that did not move in the system. This was because of the need to put examining
10 resources into the examination of Mr. Hyatt's applications and because of that order given to the
11 Examining Corps not to issue his applications. The concern was that Group Directors were to
12 move their oldest cases and that was not happening with Mr. Hyatt's applications.

13 36. As Deputy Assistant Commissioner, in 1997, I ordered the PTO policy not to
14 issue Mr. Hyatt any more patents as discussed in Paragraph 11 above. While I did inquire about
15 staffing of the Hyatt unit, I did not follow up nor was I ever briefed about progress of the
16 examination of Mr. Hyatt's patent applications during my remaining tenure as head of Patent
17 Operations. Therefore, I understood that my order not to issue patents to Mr. Hyatt was passed
18 on to my successors. Additionally, I remained in Senior Management until my retirement from
19 the PTO in 2005 and at no time did I hear that Mr. Hyatt's applications were being examined to
20 completion or that the PTO's policy not to issue any patents to Mr. Hyatt had changed.

21 37. As discussed above, I had ordered the Examining Corps not to issue any of Mr.
22 Hyatt's patent applications and I separately ordered the Examining Corps not to issue any of Mr.
23 Hyatt's patent applications with Board reversals. I was concerned about interrelationships and
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1 scope of protection being sought in the applications with Board reversals. The scope was
2 particularly concerning given the potential impact on industry and the PTO's perception of
3 submarine patents.

4 38. We did not reopen prosecution in the applications with Board reversals because
5 we were not challenging the Board's determinations.

6 39. At the time, we did not put enough resources into the examination of Mr. Hyatt's
7 applications to get a full picture of all the claims and the scope of claims in his large number of
8 applications. We were sensitive to criticisms of the PTO if we were to issue Mr. Hyatt's patent
9 applications. We understood from the extensive lobbying that the business community would
10 criticize the PTO for issuing Mr. Hyatt's patents with priority dates back more than a decade and
11 we understood that Congress would be sensitive to the criticism of the business community.

12 40. I really thought we could consolidate resources on Mr. Hyatt's applications and
13 examine them and in the late 1990s I ordered the Examining Corps to do so as described in
14 Paragraph 11 above.

15 41. It was clear to me that the PTO was not examining Mr. Hyatt's patent applications
16 to completion during my tenure.

17 42. In the late 1990s, I would not have approved any patents to be issued to Mr. Hyatt
18 without the consent of then Commissioner Lehman because of the perception that Mr. Hyatt was
19 a submarine applicant and because of the consternation of industry and the patent bar toward him
20 and toward submarine patents.

21 43. The bottom line is that – Mr. Hyatt had many patents issued prior to April 1997,
22 and at some point became known as a “submarine applicant.” I ordered halting the issuance of
23 patents to Mr. Hyatt and I never rescinded this order. The objective was to delay issuance of
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1 patents to Mr. Hyatt until we got a handle on his portfolio of patent applications and then get
2 Commissioner Lehman's direction on what to do. I was not available to follow through with my
3 plan after I was reassigned in 1999. As an outcome, by the time that I left the PTO in 2005, Mr.
4 Hyatt's patent applications were not being examined and the PTO did not have full examination
5 of all of his patent applications in contravention to my plan.

6 44. During the period from 1997 through late 1998, I was not given any briefing on
7 the examination of Mr. Hyatt's applications. In late 1998, I was reassigned within Senior
8 Management and no longer had responsibilities in or visibility of the PTO Examining Corps
9 actions with Mr. Hyatt's applications. And until 2005 when I left the PTO, I had not heard of
10 any change or initiative to efficiently examine and/or issue any patents to Mr. Hyatt. I did not
11 and do not know of even a single allowable claim that Mr. Hyatt has received since 1998. I find
12 that striking, given that I was aware of Board reversals and briefings on allowable subject matter
13 in Mr. Hyatt's patent applications.

14 In effect, I was responsible for giving the order not to issue any more patent to Mr. Hyatt.

15 I declare under penalty of perjury that the foregoing is true and correct and that this
16 declaration was executed on this 27th day of January, 2020, at Sarasota, Florida.

17
18 
19 **EDWARD KAZENSKÉ**

Exhibit 1



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: April 21, 1997

TO: Charles Pearson
Office of Petitions - PK1-520

FROM: Parshotam Lall
SPE, Art Unit 2315

SUBJECT: WITHDRAWAL FROM ISSUE

32

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APR 22 1997

**OFFICE OF
PATENT PUBLICATION**

Applicant: GILBERT P. HYATT
Serial No.: 07/763,395
Filed: September 20, 1991
For: A TRANSFORM PROCESSOR SYSTEM HAVING A
LOWER RESOLUTION HIGHER SPEED TRANSFORM
PROCESSOR IN COMBINATION WITH A HIGHER
RESOLUTION LOWER SPEED TRANSFORM PROCESSOR
Notice of Allowance Mailed: January 4, 1996
Issue Fee Paid Date: June 13, 1996

It is requested that the above-identified application be withdrawn from issue for the following purpose:

Reopen Prosecution

The issue fee has been paid. It is directed that this application be withdrawn from issue under 37 CFR 1.313 and returned to the jurisdiction of examining Group 2300.

The Examiner is authorized and directed to take prompt appropriate action on this case including notifying applicants of the new status of this application. Return this application promptly to the Office of the Director Group 2300.

Joseph J. Rolla, Jr.
Director, Group 2300



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Paper No. ~~34~~ 44

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APR 22 1997

**OFFICE OF
PATENT PUBLICATION**

GILBERT P. HYATT
P.O. BOX 81230
LAS VEGAS, NV. 89180

In re Application of
Gilbert P. Hyatt
Application No. 07/763,395
Filed: Sept 20, 1991
Attorney Docket No. 342

NOTICE

The purpose of this communication is to inform you that the above - identified application, which has received a patent number or an issue date, is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn for the following purpose: to reopen prosecution. This withdrawal was requested by the Group Director. Any questions concerning this withdrawal should be addressed to the Group Director at (703) 305-9700..

This application is being returned to the Office of the Director of Group 2300.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-8594.

Karna Cooper
Paralegal Specialist
Office of the Director
Office Patent Publication



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OF COMMERCE

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and
Trademark
Office

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AUG 28 1997

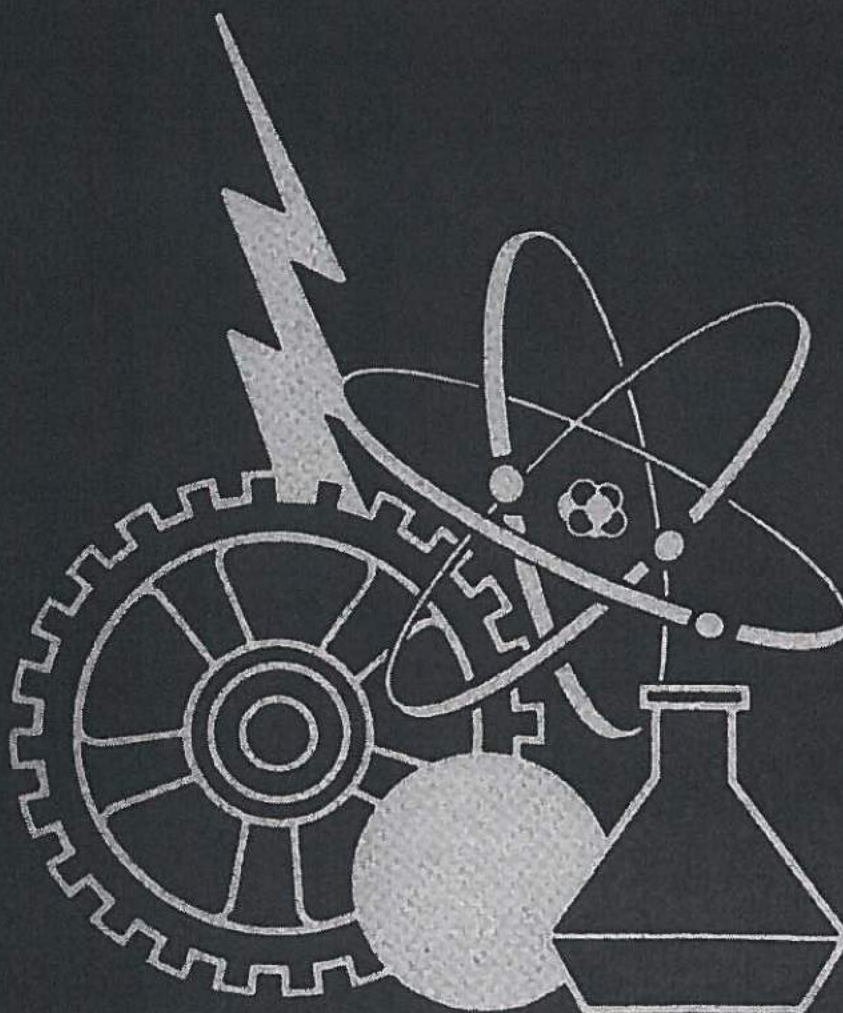
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of the
UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTS

April 29, 1997



PUBLISHED WEEKLY BY AUTHORITY OF CONGRESS

APRIL 29, 1997

ELECTRICAL

3543

- a plurality of three-dimensional address generators for generating addresses to read out the data from said three-dimensional memory; and
- a plurality of pixel calculators for processing the read-out data from said three-dimensional memory by the depth queuing method.

5,625,761

TRANSFORM PROCESSOR SYSTEM HAVING A LOWER RESOLUTION HIGHER SPEED TRANSFORM PROCESSOR IN COMBINATION WITH A HIGHER RESOLUTION LOWER SPEED TRANSFORM PROCESSOR

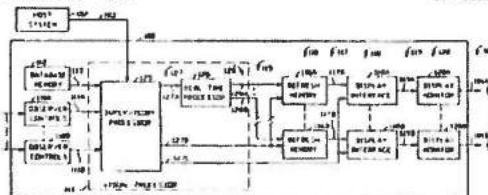
Gilbert P. Hyatt, P.O. Box 81230, Las Vegas, Nev. 89180

Continuation of Ser. No. 504,691, Jun. 15, 1983, Pat. No. 5,487,172, which is a continuation-in-part of Ser. No. 879,293, Nov. 24, 1969, abandoned, Ser. No. 101,881, Dec. 28, 1970, abandoned, Ser. No. 134,958, Apr. 19, 1971, abandoned, Ser. No. 135,040, Apr. 19, 1971, Ser. No. 230,872, Mar. 1, 1972, Pat. No. 4,531,182, Ser. No. 232,459, Mar. 7, 1972, Pat. No. 4,370,720, Ser. No. 246,867, Apr. 24, 1972, Pat. No. 4,310,878, Ser. No. 288,247, Sep. 11, 1972, Pat. No. 4,121,284, Ser. No. 291,394, Sep. 22, 1972, Pat. No. 4,396,976, Ser. No. 302,771, Nov. 1, 1972, Ser. No. 325,941, Jan. 22, 1973, Pat. No. 4,060,848, Ser. No. 366,714, Jun. 4, 1973, Pat. No. 3,986,022, Ser. No. 339,817, Mar. 9, 1973, Pat. No. 4,034,276, Ser. No. 490,816, Jul. 22, 1974, Pat. No. 4,209,853, Ser. No. 476,743, Jun. 5, 1974, Pat. No. 4,364,110, Ser. No. 522,559, Nov. 11, 1974, Pat. No. 4,209,852, Ser. No. 550,231, Feb. 14, 1975, Pat. No. 4,209,843, Ser. No. 727,330, Sep. 27, 1976, abandoned, Ser. No. 730,756, Oct. 7, 1976, abandoned, Ser. No. 752,240, Dec. 20, 1976, abandoned, Ser. No. 754,660, Dec. 27, 1976, Pat. No. 4,486,850, Ser. No. 801,879, May 31, 1977, Pat. No. 4,144,583, Ser. No. 812,285, Jul. 1, 1977, Pat. No. 4,371,953, Ser. No. 844,765, Oct. 25, 1977, Pat. No. 4,523,290, Ser. No. 849,733, Nov. 9, 1977, Ser. No. 849,812, Nov. 9, 1977, Ser. No. 860,277, Dec. 13, 1977, Ser. No. 860,278, Dec. 13, 1977, Pat. No. 4,471,385, Ser. No. 860,253, Dec. 14, 1977, abandoned, Ser. No. 860,252, Dec. 14, 1977, abandoned, Ser. No. 860,257, Dec. 14, 1977, Pat. No. 4,371,923, Ser. No. 874,446, Feb. 2, 1978, Pat. No. 4,342,906, Ser. No. 889,301, Mar. 23, 1978, Pat. No. 4,322,819, Ser. No. 948,378, Oct. 4, 1978, abandoned, Ser. No. 160,871, Jun. 19, 1980, Pat. No. 4,445,189, Ser. No. 160,872, Jun. 19, 1980, Pat. No. 4,491,930, Ser. No. 169,257, Jul. 16, 1980, Pat. No. 4,435,732, Ser. No. 223,959, Jan. 12, 1981, abandoned, Ser. No. 332,501, Jan. 22, 1981, abandoned, Ser. No. 425,136, Sep. 27, 1982, Pat. No. 4,739,396, Ser. No. 425,135, Sep. 27, 1982, Pat. No. 4,551,816, and Ser. No. 425,131, Sep. 27, 1982, Pat. No. 4,686,655. This application Sep. 20, 1991, Ser. No. 763,395

Int. Cl.⁶ G06F 15/00

U.S. Cl. 395—128

69 Claims



1. A transform processor system comprising:
 - a first transform processor generating first transforms having a first resolution;
 - a second transform processor generating second transforms having a second resolution that is better than the first resolution; and
 - a third processor coupled to the first transform processor and to the second transform processor and improving the resolution of the first transforms in response to the second transforms.

5,625,762

METHOD FOR EXTRACTING THREE-DIMENSIONAL COLOR VECTOR

Yuri Takizawa, Machida; Shinichiro Miyaoka, Kawasaki; Makoto Kato, Yokohama, and Makoto Nohmi, Kawasaki, all of Japan, assignors to Hitachi, Ltd., Tokyo, Japan

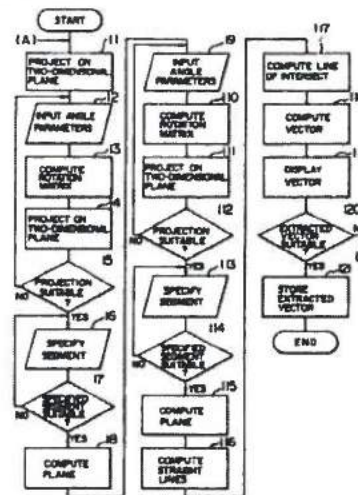
Filed May 10, 1991, Ser. No. 698,122

Claims priority, application Japan, May 11, 1990, 2-119827

Int. Cl.⁶ G06T 7/00

U.S. Cl. 395—131

9 Claims



1. A method for extracting a three-dimensional color vector approximately representing a cluster of plotted points in a three-dimensional RGB primary color space, said plotted points indicating the distribution of the R, G, B components of color pixels of a specific object in a color image, the method comprising the steps of:

- designating a direction of a first projection plane;
- in response to said step of designating the direction of said first projection plane, projecting said plotted points in said three-dimensional RGB color space on said first projection plane;
- displaying a first projection image of said first projection plane on a display;
- designating a first line segment on said display, said first line segment expressing the feature of a distribution of said plotted points projected on said first projection image;
- in response to said step of designating a first line segment on said display, determining a first equation expressing a first designated plane in said three-dimensional RGB primary color space, said first designated plane being perpendicular to said first projection plane, wherein the projection of said first designated plane on said first projection plane is said first line segment;
- designating the direction of a second projection plane;
- in response to said step of designating the direction of a second projection plane, projecting said plotted points in said three-dimensional RGB primary color space onto said second projection plane;
- displaying a second projection image of said second projection plane on said display;
- designating a second line segment on said display, said second line segment expressing the feature of the distribution of said plotted points projected on said second projection image;
- in response to said step of designating a second line segment on said display, calculating a second equation expressing a second designated plane in said three-dimensional RGB primary color space, said second designated plane being perpendicular to said second projection plane, wherein the projection of said second designated plane on said second projection plane is said second line segment; and
- extracting said three-dimensional color vector by extracting a line of intersection of said first designated plane and said second designated plane from said first equation and said

Exhibit 2



UNITED STATES DEPARTMENT OF COMMERCE
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OCT 14 1997

Office of Patent Publication
Director's Office

DATE: October 10, 1997
TO: Karna Cooper
Paralegal Specialist - PK3-910
FROM: Thomas C. Lee
SPE, Art Unit 2317
SUBJECT: WITHDRAWAL FROM ISSUE

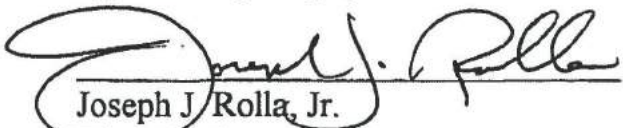
Applicant: GILBERT P. HYATT
Serial No.: 05/849,812
Filed: November, 1997
For: MICROCOMPUTER SOUND SYSTEM
Notice of Allowance Mailed: October 21, 1992
Issue Fee Paid Date: January 21, 1993

It is requested that the above-identified application be withdrawn from issue for the following purpose:

Reopen Prosecution

The issue fee has been paid. It is directed that this application be withdrawn from issue under 37 CFR 1.313 and returned to the jurisdiction of examining Group 2300.

The Examiner is authorized and directed to take prompt appropriate action on this case including notifying applicants of the new status of this application. Return this application promptly to the Office of the Director Group 2300.


Joseph J. Rolla, Jr.
Director, Group 2300



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Paper No. 18

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OCT 14 1997

**OFFICE OF
PATENT PUBLICATION**

NOTICE

GILBERT P. HYATT
P.O. BOX 81230
LAS VEGAS, NV. 89180

In re Application of
Gilbert P. Hyatt
Application No. 05/849,812
Filed: Nov. 9, 1977
Attorney's Docket No.

The purpose of this communication is to inform you that the above - identified application, which has not received a patent number or an issue date, is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn for the following reason: to reopen prosecution. This withdrawal was requested by the Group Director. Any questions concerning this withdrawal should be addressed to the Group Director.

The issue fee is refundable upon written request. However, if the application is again found allowable, the issue fee may be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

This application is being returned to the Office of the Director of Group 2300.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-5254.

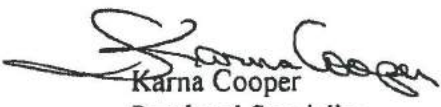

Karna Cooper
Paralegal Specialist
Office of the Director
Office of Patent Publication

Exhibit 3



UNITED STATES DEPARTMENT OF COMMERCE
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OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#15

MEMORANDUM

DATE: May 22, 1997
TO: Office of Patent Publication
SUBJECT: Withdrawal From Issue

Applicant: Gilbert P. Hyatt
Serial No.: 08/433,307
Filed: 05/03/95

It is recommended that the above-identified application be withdrawn from issue for the following purpose:

The application is withdrawn from issue to permit reopening of prosecution at the request of the Group Director.

The issue fee has been paid. It is directed that this application be withdrawn from issue under 37 C.F.R. 1.313 and returned to the jurisdiction of Examining Group 2600.

The Examiner is authorized and directed to take prompt appropriate action on this case, including notifying application of the new status of this application. Return this application promptly to the Office of the Director of Group 2600.

Nicholas P. Godici

Nicholas P. Godici, Director
Group 2600, Communication; Measuring,
Testing and Lamp/Discharge Group



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Paper No.16

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MAY 28 1997

**OFFICE OF
PATENT PUBLICATION**

GILBERT P. HYATT
P.O. BOX 81230
LAS VEGAS, NV. 89180

In re Application of
Gilbert P. Hyatt
Application No. 08/433,307
Filed: May 03, 1995
Attorney's Docket No. 363

NOTICE

The purpose of this communication is to inform you that the above - identified application, which has not received a patent number or an issue date, is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn to permit the reopening of prosecution. This withdrawal was requested by the Group Director. Any questions concerning this withdrawal should be addressed to the Group Director.

The issue fee is refundable upon written request. However, if the application is again found allowable, the issue fee may be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

This application is being returned to the Office of the Director of Group 2600.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-5254.

Karna Cooper
Paralegal Specialist
Office of the Director
Office of Patent Publication

Exhibit 4



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Paper No. 32

November 17, 1998

TO : Director, Office of Patent Publication

FROM : Office of the Assistant Commissioner
for Patents

SUBJECT : Withdrawal from Issue of

Applicant : Gilbert P. Hyatt
Application No. : 07/357,570
Filed : May 25, 1989

The above - identified application has been assigned Patent No. 5,847,379 and an issue date of December 8, 1998.


It is hereby directed that this application be withdrawn from issue at the request of the Group Director.

Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above - identified application is published in the OG of December 8, 1998:

"All reference to Patent No.5,847,379 to Gilbert P. Hyatt of California, for
DUTY CYCLE MODULATED ILLUMINATION CONTROL SYSTEM
appearing in the Official Gazette of December 8, 1998, should be deleted since
no patent was granted."

The application will be processed and forwarded to the Office of the Director of Group 2700.


Karna Cooper
Paralegal Specialist
Office of Patent Publication

cc: Geraldine Dozier, Crystal Park 3-441
Deneise Boyd, Crystal Park 2, Suite 1100
Nancy Hurd, Crystal Park 3-910
Niomi Farmer, Crystal Park 3-910



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Paper No. 37

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NOV 17 1998

**OFFICE OF
PATENT PUBLICATION**

NOTICE

GILBERT P. HYATT
PO BOX 81230
LAS VEGAS, NV 89180

In re Application of
Gilbert P. Hyatt
Application No. 07/357,570
Filed: May 25, 1989
Attorney's Docket No. 324

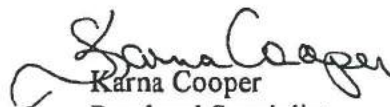
The purpose of this communication is to inform you that the above - identified application, which has received a patent number or an issue date, is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn for the following purpose: To reopen prosecution. This withdrawal was requested by the Group Director. Any questions concerning this withdrawal should be addressed to the Group Director.

The issue fee is refundable upon written request. However, if the application is again found allowable, the issue fee may be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

This application is being returned to the Office of the Director of Group 2700.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-5254.


Karna Cooper
Paralegal Specialist
Office of the Director
Office of Patent Publication

C21.5:1211/2

Vol. 1217 Number 2

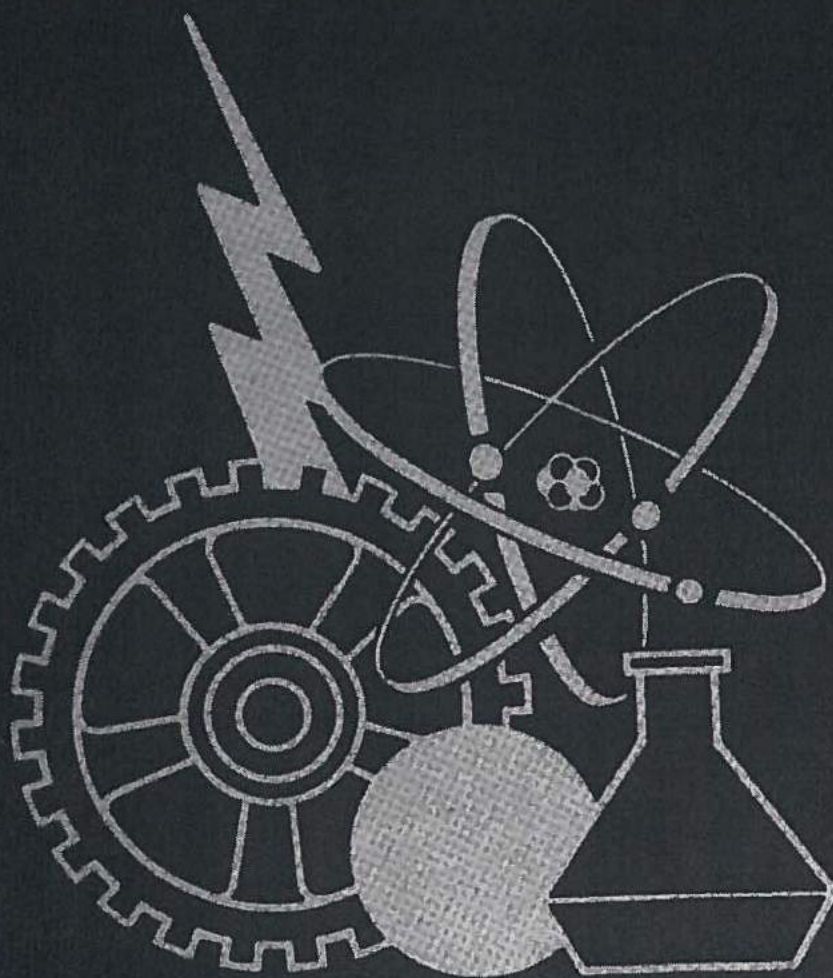
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UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTS

December 8, 1998



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OF COMMERCE

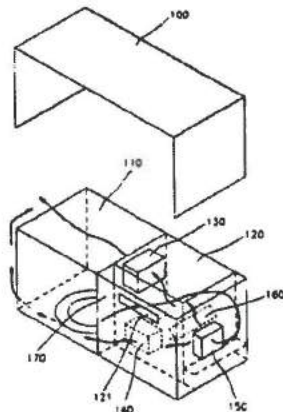
Patent
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Trademark
Office

PUBLISHED WEEKLY BY AUTHORITY OF CONGRESS

1742

OFFICIAL GAZETTE

DECEMBER 8, 1998



- a cooling fan disposed at a position near the high voltage transformer, the cooling fan forcing cooling air around the microwave oven to enter the compartment through an air intake opening and to leave the compartment along a plurality of airflow routes; and
- a screen plate disposed between the high voltage transformer and the cooling fan, the screen plate directing a part of the cooling air from the cooling fan to the magnetron and the other part thereof to the high voltage transformer so that the magnetron and the high voltage transformer are directly cooled by the cooling air.

5,847,378

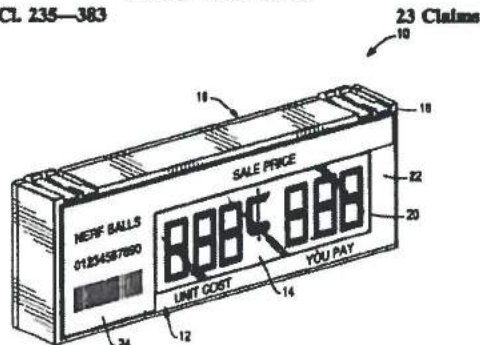
ELECTRONIC PRICE LABEL HAVING A TWO-PART OVERLAY ARRANGEMENT

John C. Goodwin, III, Suwanee, Ga., assignor to NCR Corporation, Dayton, Ohio

Filed Oct. 15, 1996, Ser. No. 730,729

Int. Cl.⁶ G06K 151/00

U.S. Cl. 235—383



1. An electronic price label (EPL) comprising:
 - an electronic display for displaying price information;
 - a housing having a front surface containing an aperture exposing the electronic display;
 - a first record member substantially permanently attached to the front surface of the electronic display using a first attachment device for displaying first information; and
 - a second record member which is removably attached to the first record member using a second attachment device different than the first attachment device for displaying second information simultaneously with but different than the first information;
- wherein the second record member leaves at least a portion of the first information of the first record member exposed when the second record member is attached to the first record member.

5,847,379

Patent Not Issued For This Number

5,847,380

SIDE-ON TYPE PHOTOMULTIPLIER COMPRISING AN ENVELOPE HAVING AN OPENING, A LENS ELEMENT, AND A LENS POSITIONING STRUCTURE

Masami Tachino; Hidehiro Kame; Soenori Kimura, and Takashi Goto, all of Hamamatsu, Japan, assignors to Hamamatsu Photonics K.K., Hamamatsu, Japan

Filed Sep. 5, 1997, Ser. No. 924,263

Claims priority, application Japan, Sep. 6, 1996, 8-237620 Int. Cl.⁶ H01J 40/16

U.S. Cl. 250—207

7 Claims

1. A side-on type photomultiplier comprising:
 - an envelope having an opening for transmitting therethrough light to be detected;