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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

TAMAI, KARL I

ART UNIT PAPER NUMBER

2834

DATE MAILED: 05 07 2003

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

Detailed Action

Priority

An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application in the first sentence of the specification or in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)).

Specification

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of 37 CFR 1.71(a)-(c):

- (a) The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.
- (b) The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.
- (c) In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

The specification is objected to under 37 CFR 1.71 because the invention violates the Law of Conservation of Energy because an apparatus cannot generate more electrical power than it takes to operate the machine. The applicant claims the disclosed apparatus will "produce 100 times or more, the energy it needs to operate". A generator cannot violate the Law of Conservation of Energy by generating more

electricity that requires to operate because there are inherent losses, such as heat and hysteresis, preventing the all the input energy to be converted to output energy.

If applicant continues to prosecute the application, revision of the specification and claims to present the application in proper form is required. While an application can be amended to make it clearly understandable, no subject matter can be added that was not disclosed in the application as originally filed.

Claim Rejections - 35 USC § 101 and 112

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title.

Claims 1-19 are rejected under 35 U.S.C. 101, as the claimed invention lacks patentable utility because it violates the Law of Conservation of Energy. The invention violates the Law of Conservation of Energy because an apparatus cannot generate more electrical power than it takes to operate the machine. The applicant claims the disclosed apparatus will "produce 100 times or more, the energy it needs to operate" and that "it will run indefinitely generating a great excess of electric power". A generator cannot violate the Law of Conservation of Energy because there are inherent losses, such as heat and hysteresis, preventing the all the input energy to be converted to output energy.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Claims 1-19 are rejected for the reasons stated above as to the deficiencies in the specification in enabling an operable apparatus. The Applicant has not enabled or provided a full, clear, concise, and exact written description of a generator that will generate more power than input or will run in perpetuity.

The applicant is required to supply a working model of the invention to establish the operability of the device. (See 37 CFR 1.92).

No prior art has been applied to the claims at this time. Prior Art will be applied to the claims when a working model and an enabling disclosure have been provided. The examiner has cited similar transformer machines, but art cannot be applied to a device that violates the Law of Conservation of Energy.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nestor Ramirez, can be reached at (703) 308-1371. The facsimile number for the Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Karl I Tamai
PRIMARY PATENT EXAMINER
May 2, 2003


KARL TAMAI
PRIMARY EXAMINER