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M a n i l a

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6355

April 14, 1965

" FILTER UNIT FOR SMOKING ARTICLES "

This application has been examined under Sec. 15.

All claims are rejected for insufficiency of disclosure there being no comparison tests made on the effectiveness of the filter sought to be patented as compared to that of a filter consisting essentially of the sorbent section and that of a filter consisting essentially of the flavor-containing section. Considering that the combination and arrangement of two conventional filter components are relied on for patentability, a showing to the effect that the combination produces an improved and unexpected result should be a convincing proof. An indication of the presence of invention in combining the two sections into a filter is the presence of a synergistic effect so that comparison tests are necessary.

Claims 1 and 2 are further rejected as being substantial duplicates of one another. Both are claims directed to the same things comprising a combination of the same substances differing only in the stated object of adaptation in the preamble.

Claims 3 and 4 are further rejected as improper. The improvement of one part of an old combination does not give one the right to claim that improvement in combination with the old part which performs no new function in the combination. Accordingly, the claim should be drawn according to the Jepson type of claim wherein the improved part is emphasized and a clear line of demarcation exists between the old elements and the elements which really constitute the alleged invention.

Response is due within two (2) months from the mailing date of this action in accordance with Rule 112 of the Revised Rules of Practice.

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