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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 11/104,815 | 04/13/2005 | Jeffrey A. Soucek | DUEFR-036A | 1279 |
| 7663 | 7590 | 12/14/2005 | EXAMINER | |
| STETINA BRUNDA GARRED & BRUCKER 75 ENTERPRISE, SUITE 250 ALISO VIEJO, CA 92656 | | | HURLEY, KEVIN | |
| | | | ART UNIT | PAPER NUMBER |

3611
DATE MAILED: 12/14/2005

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

Claim Rejections - 35 USC § 112

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

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: in claims 1 and 9 it is recited that the various elements are “attachable” to each other, however this is not a connection or structural relationship. It is suggested that this be changed to –attached--.

3. Claims 2-4, 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 2-3 it is unclear how the pivot points can have a “triangular configuration”. They can be arranged in a triangular configuration, but as claimed it would appear that each pivot point is triangular.

Claim 4 recites the limitation "the top point". There is insufficient antecedent basis for this limitation in the claim. It is assumed that this is supposed to mean --the top pivot point--.

Claim 4 recites that the top and bottom pivot point are directed toward each other. It is unclear how a pivot point can be directed.

Claim 7 recites the limitations “the rear wheel” and "the bicycle". There is insufficient

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antecedent basis for this limitation in the claim. It is assumed that this is supposed to mean --the top pivot point--.

Allowable Subject Matter

4. Claims 1-10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

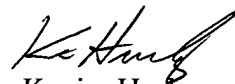
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references disclose bicycle suspensions including multiple links.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Hurley whose telephone number is 571-272-6646. The examiner can normally be reached on Monday-Friday 9:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kevin Hurley
Primary Examiner
Art Unit 3611

12/10/2005