

May 24,2012

Via Certified Mail and Fax 1- 571-273-8300

Office of the Commissioner For Patents  
United States Patent Office  
P.O. Box 1450  
Alexandria , VA 22313-1450

Attn : Anthony Caputa

Re: Patent Application #11003123

Dear Sir ,

In response to your 2 page letter dated May 14 , 2012 ( a copy of which is attached ) , I was in telephone contact with Mr. Gary Nickol at (571)272-8800 . I left a taped message for Mr. Nichol on May 19 , 2012 . He returned my call and we spoke at length on May 21 , 2012 .

In our conversation , I disagreed with your letter in the 4<sup>th</sup> paragraph where you stated referring to me “ If you opted not to file a reply brief or a request for oral hearing , your application would be expedited to a judicial panel of appeals judges after two months .” I do not agree with that – the appeals specialist that you speak of , Mr. Dale Shaw never gave me that option . Contrarily Mr. Dale Shaw in our telephone conversation on May 3 , 2012 told me that it did not matter whether I filed a Reply Brief to the Examiner’s Answer ( mailed May 1 , 2012 ) or no , he ( Mr. Shaw ) would still allow for the 2 month waiting period . He further stated that he had already scheduled Oral Hearings out to the August/ September 2012 timeline . I asked him for many reasons including the 8 years that the patent application has been held in abeyance , and the Petition to make Special because of Age of the Inventor which was granted in 2010 if he could schedule an Oral Hearing for this case on the docket immediately. I have since spoken to Mr. Shaw once since I filed on May 11 , 2012 a Request for Oral Hearing and left telephone messages for Mr. Shaw but so far he has given no indication that he would schedule an Oral Hearing for this case .

Since Mr. Shaw stated that he had already scheduled Oral Hearings out to the August /September 2012 timeline in that May 3, 2012 telephone conversation I asked him , “ Doesn’t the new patent law come into effect on September 11 , 2012 at which time I could lose my intellectual property rights ? “ He answered. “It comes into effect on September 13<sup>th</sup>.” Mr. Caputa , for your statements regarding the “overlooked” Appeal Brief , there was one discrepancy regarding a \$40 increase in filing fees which was not paid with the filing but was corrected immediately . The Inventor/Appellant’s letter to the Commissioner dated 04/23/2012 has been erroneously labeled by the USPTO as an “Appeal Brief “.

I have filed a Request for Oral Hearing by Fax Transmission on May 11 , 2012 to the BPAI ( Board of Patent Appeals and Interferences ) 15712730053 , also with a Fax Transmission to the Finance Office / Doug Lindsey , Finance Officer 15712736344 with authorization of payment of the \$620 Oral Hearing fee also on May 11 , 2012. After these transmissions were not acknowledged in Pair , the electronic record – I again resubmitted a Request for Oral Hearing to the USPTO general fax at 15712738300 on May 21 , 2012 . Attached are Fax Confirmations for those transmissions . No acknowledgment of my Request for Oral Hearing has yet been recorded in PAIR which is the electronic record and history of this case . This is against patent rules and the regulations of the patent office .

I reiterated my desire to have an Oral Hearing immediately in my 05/21/2012 conversation with Mr. Gary Nichols whom you suggested that I contact in your letter. As it is now May 24 th , 13 days since I first filed my Request , I again make that request directly again to you and to the Commissioner For Patents on whose behalf you wrote to me . Please do not continue to hold my patent application ‘hostage’ which from the record has been done for the past 8 years until September 13 , 2012 to deliberately attempt to legislate away my rights ! This is a violation of the MPEP ( Manual of Patent Examination Procedures ) and the CFR ( Code of Federal Regulations ) . Further it is a continued violation of the Constitutional Rights of the Inventor and a corruption of Jurisprudence . The Patent Office is in violation of the laws not limited to the following **Codes of Federal Regulations** :

**10.23 c(3) - .....failure to timely remit ...funds received .....to pay a fee which is ..... required by law to pay to the Office .**

**10.23 c(4) – direct or indirect improper influence on official actions of any employee in the Office .**

**10.23c(20)- knowing practice by a government employee contrary to applicable Federal conflict of interest laws , or regulations of the Department , agency or Commission employing said individual**

I ask your intervention to discontinue this injustice , these delays of putting this matter before Judges . You are violating the Constitutional rights of the inventor of the INTERNET – one of the world’s greatest invention . My ideas help people . I do not deserve this . In the interest of Justice and the Truth , I request again that I be granted an Oral Hearing immediately .

Sincerely ,

Dorothy M. Hartman  
Inventor