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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: MATSUOKA=15

In re Application of:	)	Art Unit: 3747
H. MATSUOKA et al.	)	Examiner: McMAHON
Appln. No.: 08/821,196	)	Washington, D.C.
Filed: March 20, 1997	)	September 17, 1998
For: GAS ENGINE WITH PRE-COMBUSTIBLE CHAMBER	)	

RESPONSE

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231
Sir:

The present communication is responsive to the Official Action of August 26, 1998. Claims 1 - 12 presently appear in this case. All of the claims have been subject to a requirement for election of species. Prompt consideration on the merits of all of the claims now present in the case is hereby respectfully urged.

The examiner states that the present application contains claims directed to the following patentably distinct species of the claimed invention: Group I: Figures 1 and 2, claims 1-7; Group II: Figures 3 and 4, claims 8-10; and Group III: Figures 5 and 6, claims 11-12. The examiner has required applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The examiner states that no claim appears to be generic. It is noted that the examiner has indicated that, upon the allowance of a generic claims, applicant will be entitled to consideration of claims to

additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

Applicant hereby elects the species of Group I, Figures 1 and 2. It is believed that claims 1-7 read on the elected species.

Applicant has not attempted to gather evidence showing the species to be obvious variants. It is noted for the record, however, that this election of species requirement represents an admission on the record on the part of the examiner that each of the species is patentably distinct and, if the examiner finds a reference showing only one of the species, then he cannot reject any of the other species over that same reference. If the examiner learns of any evidence which causes him to change his mind as to the patentable distinctness of any of the species, then it is respectfully requested that this be reflected on the record.

Prompt consideration of all of the claims reading on the elected species is earnestly solicited.

Respectfully submitted,

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