DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a biasing means as set forth in claim 1, line 6, a motor as set forth in claim 1, line 9, an output shaft as set forth in claim 1, line 10, and a pivoting hole in the second movable shield as set forth in claim 1, line 23 must be shown or the features cancelled from the claims. No new matter should be entered.

Claim Rejections - 35 USC § 112

2. Claims 1-5 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(s), at the time the application was filed, had possession of the claimed invention.

The disclosure does not provide a clear description as to what structure corresponds to the term "saw blade seat". Although it is generally indicated by numeral 40 in the drawings, it is not clear specifically as to what structure of the saw is being indicated by numeral 40.

Further, it is not clear, particularly in view of the drawings, as to how the saw blade seat is pivotally mounted on the first pivot as set forth in claim 1 since there appears to be no structural

member (other than the portion of the base on which the second pivot is connected) that extends from the first pivot.

3. Claims 1-5 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 claim 1, line 7, "saw blade seat" is vague and indefinite as to what structure is being set forth by this term (i.e., it is not clear as to what disclosed structure this term corresponds); further in line 7, it is not clear as to what the saw blade seat is fastened pivotally (e.g., to the first pivot or to the base), and it seems that --to said base-- should be inserted after "thereof" or the like; in line 20, "intended for engaging" is vague and indefinite as to the relationship between the pivoting hole and the retaining bolt, and structural cooperation is not positively set forth between the pivoting hole and the retaining bolt; in lines 20-21, "a retaining bolt on which said circular saw is mounted" renders the claim vague and indefinite since it appears to contradict line 10 which sets forth that the circular saw is mounted on an output shaft of the motor; in line 24, "intended for engaging" is vague and indefinite as to the relationship between the pivoting hole and the retaining bolt, and structural cooperation is not positively set forth between the pivoting hole and the retaining bolt.

In claim 2, line 2, structural cooperation is not positively provided for the slide slot, particularly with respect to the second pivot; in lines 2-3, "intended to facilitate" is vague and

indefinite, particularly since structural cooperation for the slide slot has not been sufficiently set forth.

Allowable Subject Matter

4. Claims 1-5 appear that they would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action. It is noted that these claims have been rejected under 35 USC 112.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited disclose saws having saw guards with features similar to the claimed invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax number for this group is (703)305-3579.

Communications via Internet e-mail regarding this application, other than those under 35 USC 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**rinaldi.rada@uspto.gov**].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 USC 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark Office on February 25, 1997 at 1195 OG 89.

Clark F. Dexter
Patent Examiner
Group Art Unit 3204

cfd
January 5, 1998