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November 8, 1993

INTERNATIONALT PATENT-BUREAU
Hoje Taastrup Boulevard 23
DK 2630 Taastrup
DANMARK

Re: JOHANNESSEN - USSN 07/910,342
FLOOR DRAIN
Your reference: Bar/Aju/20813
Our reference: JOHANNESSEN-3

Dear Sirs:

Enclosed herewith is a copy of the Examiner's October 27, 1993 Final Official Action on the above identified application.

As you will note, we have made little, if any, progress with the Examiner.

It is important for you to recognize that under U.S. patent practice, an examiner can, at his discretion, preclude further prosecution of the claims after a final rejection. This permits and examiner to refuse any amendment of the claims intended to overcome cited prior art, which is generally what should be expected when such amendments are offered. Notwithstanding, you may still wish to offer such an amendment, to develop amended claims for a continuation application and the because there is some possibility they may be allowed. Further, amendments to overcome formal rejections under 35 U.S.C. § 112 are permissible.

Given the finality of the Examiner's action, we are left with the usual options:

1) File a response for purpose of putting the claims in better condition for appeal or refiling in a continuation application;

2) File a response without amending the claims to overcome the prior art but rebutting the prior art rejection;

U.S. Patent and Trademark Office, e.g. any pertinent prior art references which may have been cited in a corresponding application in a country foreign to the United States. After a first action on the merits, if any such reference is not cited to the U.S. Patent and Trademark Office within three months of its first citation by a foreign Patent Office, its citation in the U.S. must be accompanied by a $210.00 Government fee.

Our debit note in connection with the docketing and forwarding of this Office Action is also enclosed.

Sincerely,

Norman J. Latker
Managing Attorney

Enclosures
NJL:sab