

EXHIBIT H

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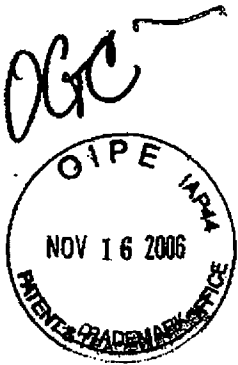
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CALIFORNIA OFFICE:
SAN DIEGO, CALIFORNIA

FOIA

10C20E

07-052



November 16, 2006

USPTO FOIA Officer
United States Patent and Trademark Office
PO Box 1450
Alexandria, Va. 22313-1450

OFFICE OF THE
GENERAL COUNSEL
2006 NOV 21 AM 10: 56
U.S. PATENT
AND
TRADEMARK OFFICE

Re: Request for information under the Freedom of Information Act

In a recent talk at the AIPLA annual meeting in October 2006, Commissioner for Patents John Doll stated that the USPTO had evaluated chances of success if the USPTO rule making authority was challenged in connection with the proposed rules changes regarding changes to continuation practice, 71 Fed. Reg. 48, and changes to the practice for examination of claims, 71 Fed. Reg. 61. He stated that the odds were 50-50 that the USPTO would prevail in such a challenge. This request is for all documents on which Mr. Doll relied to make this statement.

This request is made under the Freedom of Information Act (FOIA) for any and all documents relating to the legal analysis that the USPTO or its contractors or consultants has conducted with respect to the USPTO rulemaking authority to make the changes proposed in 71 Fed. Reg. 48 and 71 Fed. Reg. 61. This request for documents includes any memos, reports, papers, emails, presentations, case law or any other type of information on the legal basis of the rule making authority, analysis of the law, legal research, and position of the USPTO with respect to this authority question. This request also includes any information that Mr. Doll has based his statement and prediction on.

USPTO FOIA Officer
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We await your reply.

Very truly your,

BIRCH, STEWART, KOLASCH & BIRCH, LLP


James M. Slattery



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF THE GENERAL COUNSEL

Dear Sir/Madam:

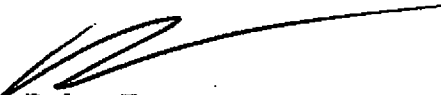
Your Freedom of Information Act (FOIA) request was received by the Freedom of Information Officer (FOIA) on 11/21/06.

Your request has been docketed as "FOIA/PA Request No. 07-052. Any further inquiries regarding your request should include that number. A copy of your request is attached for reference.

In the event your original request was incorrectly addressed, please address all inquiries regarding your request to:

RECEIVED
FREEDOM OF INFORMATION ACT (FOIA) OFFICER
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sincerely,


Robert Fawcett
FOIA Officer