

COMMISSIONER'S DECISION

Indefiniteness - Casting Apparatus

The claims are directed to a heating chamber with a particular crucible arrangement. A number of claims were rejected for being indefinite.

Final Action: Affirmed

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Patent application 280,214 (Class 307-29), was filed on June 9, 1977 for an invention entitled "Melting And Casting Apparatus." The inventors are Matti J. Saarivirta et al. The Examiner in charge of the application took a Final Action on July 15, 1981 refusing to allow it to proceed to patent.

The application relates to improvements in an electric furnace for melting and casting metals and metal alloys. The improvements are directed to the heating chamber with a particular crucible arrangement and the electric heating means.

The Final Action was based on the indefiniteness of the claims and the proper support for the supplementary claims. No prior art was cited in the Final Action.

In response to the Final Action the Applicant cancelled all of the claims and submitted new claims 1 to 8.

Claims 1 to 4 and 7 were accepted by the Examiner, while claims 5 and 6, in the opinion of the Examiner, should not appear as claims supported by the supplementary disclosure, because the subject matter covered was cancelled from the original disclosure. Further, claim 8 was held to be redundant over claim 3.

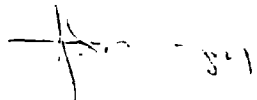
We have carefully considered these points and we concur with the views of the Examiner.

With this in mind, we contacted the Agent, Mr. J. Lamb, and discussed our views with him. After due consideration Mr. Lamb filed an appropriate amendment cancelling claims 5, 6 and 8 and made other minor amendments to the claims.

No further discussion is deemed necessary and we recommend that the present claims be accepted.

  
J.P. Hughes  
Assistant Chairman  
Patent Appeal Board, Canada

I concur with the reasoning and findings of the Patent Appeal Board. Accordingly, I direct that prosecution should resume on the basis of the present claims.

  
J.H.A. Gariépy  
Commissioner of Patents

Dated at Hull, Quebec  
this 1st. day of June, 1982

Agent for Applicant  
Scott & Ayles  
170 Laurier Ave. W.  
Ottawa, Ont.