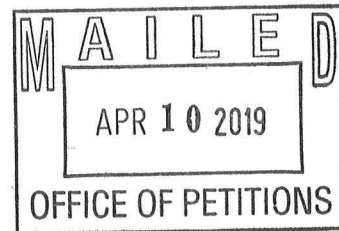




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In re Application of :
Deisseroth et al. :
Application No. 11/459,636 : DECISION ON PETITION
Filed: 24 Jul 2006 :
For LIGHT-ACTIVATED CATION :
CHANNEL AND USES THEREOF :

This is in response to the paper filed October 26, 2015 in the above-identified patent.

Patentee’s request for reconsideration of the patent term adjustment determination for the above-identified patent was denied in the decision of August 25, 2015. The decision of August 25, 2015 indicated that it was “the Director’s decision on the applicant’s request for reconsideration for purposes of seeking judicial review under 35 U.S.C. § 154(b)(4).” See Decision of August 25, 2015, at page 1. There is no provision for repeated requests for reconsideration of a patent term adjustment determination. See 35 U.S.C. § 154(b)(3)(B)(ii) (the Director shall “provide the applicant one opportunity to request reconsideration of any patent term adjustment determination”).¹ See also 37 C.F.R. § 1.705(b).

The decision of August 25, 2015 constituted the Director’s decision on the applicant’s request for reconsideration for purposes of seeking judicial review under 35 U.S.C. § 154(b)(4) and thus concluded the USPTO’s request for reconsideration of the patent term adjustment determination for the above-identified patent. Further requests for reconsideration the patent term adjustment determination for the above-identified patent will not be entertained.

¹ Assuming, *arguendo*, the provisions of 37 CFR 1.181 are even applicable to a decision on a request for reconsideration of a patent term adjustment determination, the paper filed October 26, 2015 is not identified as a petition under 37 CFR 1.181. In any event, the paper filed October 26, 2015 does not: (1) seek review of an action or requirement of an examiner in the *ex parte* prosecution of an application, or in *ex parte* or *inter partes* prosecution of a reexamination proceeding; (2) involve a case in which a statute or the rules specify that the matter is to be determined directly by or reviewed by the Director; or (3) seek to invoke the supervisory authority of the Director in an appropriate circumstance. See 37 CFR 1.181(a).

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.

/Paul Shanoski/
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Office of Petitions