

Bogotá, 11 de agosto de 2022

Doctora

Edna Marcela Ramírez Orozco

Directora Nuevas Creaciones

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO -SIC-

E.

S.

D.

REF.: SOLICITANTE : Kenneth Paulus

TITULO : ESTIMULADOR NERVIOSO MAGNÉTICO

EXPEDIENTE : NC2022/0007967

RESPUESTA AL OFICIO NO. 9575

HELENA CAMARGO WILLIAMSON, mayor de edad y vecina de Bogotá D.C., identificada como aparece al pie de mi firma, en mi condición de apoderada de **Kenneth Paulus**, me permito dar respuesta al oficio 9575 de 16 de junio de 2022, de acuerdo con el artículo 39 de la Decisión 486 de la Comisión de la Comunidad Andina.

1. Análisis de prioridad

De conformidad con lo establecido por el literal h) del artículo 27 de la Decisión 486 de 2000 de la Comisión de la Comunidad Andina, el Examinador evidenció que *“la prioridad invocada 62943660 del 04 de diciembre de 2019 ESTADOS UNIDOS DE AMÉRICA no coincide con la indicada en la fase internacional, por lo tanto, se requiere aclarar dicha situación.”*

El documento más antiguo denominado *“US PROVISIONAL Application No. 62/943,660”* del 04 de diciembre de 2019 fue descartado como documento prioritario, ya que el documento fue presentado más de 12 meses antes de la fecha de presentación en fase internacional. Sin embargo, la USPTO (United States Patent and Trademark Office) permitió que la solicitud PCT se beneficiara de la fecha de presentación de la solicitud prioritaria del documento denominado *“UTILITY No. 62/943,660”*, que es del 04 de diciembre de 2020. De acuerdo con lo anterior, adjunto a este correo electrónico se allega la petición presentada ante la USPTO junto con su decisión.

2. Poder.

La Oficina Nacional señala que se *“debe allegar el poder debidamente conferido al abogado que se menciona como apoderado en la solicitud”*. Al respecto, por favor encuentre el documento de poder debidamente conferido al abogado que se menciona como apoderado en la solicitud, de acuerdo con el artículo 26 literal f) de la Decisión 486 de la Comisión de la Comunidad Andina.

3. Pago por reivindicaciones adicionales

Ese Despacho indica que, de conformidad con lo establecido en el numeral 1.2.2.2. del Título X de la Circular Única de la Superintendencia de Industria y Comercio, Se recomienda pagar la tasa por las reivindicaciones adicionales, y que *“de no recibirse el pago por reivindicaciones adicionales, el examen de patentabilidad dispuesto en el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina se realizará únicamente sobre las 10 primeras reivindicaciones.”*

Me permito señalar que, siguiendo sus amables sugerencias, adjunto a este memorial el comprobante de pago de la tasa por diez (10) reivindicaciones adicionales. De acuerdo con lo anterior, consideramos superada la objeción al respecto y solicitamos amablemente que el examinador proceda a estudiar por completo las reivindicaciones radicadas originalmente.

De acuerdo con lo anterior, se da cumplimiento a los requerimientos formulados por el examinador, razón por la cual solicito de manera respetuosa que se continúe con el trámite y se proceda con la publicación de la solicitud de la referencia.

De la Señora directora,

POSSE HERRERA RUIZ



HELENA CAMARGO WILLIAMSON

C.C 35.455.268 de Bogotá

T.P. 76.985

Anexos:

1. Petición presentada ante la USPTO.
2. Decisión de la USPTO.
3. Documento de poder debidamente conferido al abogado que se menciona como apoderado en la solicitud.
4. Comprobante de pago de la tasa por diez (10) reivindicaciones adicionales.

IN THE UNITED STATE RECEIVING OFFICE
PATENT COOPERATION TREATY

In re PCT Application of	)	May 31, 2022
	)	
Kenneth Paulus	)	
	)	
International Application	)	Priority Date: 04 December 2019
No. PCT/US2020/063271	)	
	)	
International Filing Date:	)	Docket No. 3120.2-2 (PCT)
04 December 2020	)	
	)	
For: MAGNETIC NERVE STIMULATOR	)	Authorized Officer:
	)	Jim Thompson – PCT Help Line

PETITION TO THE DIRECTOR - PURSUANT TO RULE 37 CFR 1.181
PETITION TO VACATE AND CORRECT PRIORITY DATE

This petition is in response to the realization that the Priority date of PCT application No. PCT/US2020/063271 was improperly changed after documents were submitted to correct defects in the Figures as filed.

On December 04, 2019, Applicant filed US Provisional Application No. 62/943,660 (Attached EX1). On December 04, 2020, Applicant filed US Utility Application No. 62/943,660 (Attached EX2), claiming priority to US Provisional Application No. 62/943,660. On December 04, 2020, Applicant filed PCT Application No. PCT/US2020/063271 (Attached EX3), claiming priority of US Provisional Application No. 62/943,660 and US Utility Application No. 62/943,660. A copy of the PCT Request Form (Attached EX4) showing the correct claims of priority is included on Page 6 under Box VI. PRIORITY CLAIM AND DOCUMENT.

A Notice of International Application Number and International Filing Date was received on December 18, 2020 (Attached EX5) indicating a priority date of December 04, 2019, and an International Filing Date of December 04, 2020.

On December 18, 2020, an invitation to Correct Defects was received (Attached EX 6).

On February 18, 2021, replacement Figures were submitted for US Utility Application No. 62/943,660 (Attached EX7, EX8 and EX9).

On February 18, 2021, replacement Figures were submitted for PCT Application No. PCT/US2020/063271 (Attached EX8, EX10, and EX11).

On March 11, 2021, the one-year anniversary of my son's death occurred. Connor Vande Garde died in a skiing accident on March 11, 2020, in Vail, Colorado. The anniversary date and the surrounding days were extremely, stressful and my working hours were kept to a minimum.

On March 12, 2021, the International Search Report was issued (Attached EX12). The search report was received.

On April 8, 2021, an Invitation to Correct Priority Claim was issued (Attached EX13) and the Priority Date was changed (Attached EX14) by Jeremy Fleming. I have no email record of ever receiving this invitation.

On June 6, 2021, a Notice of Publication of Application was received from the US Patent Office regarding US Utility Application No. 62/943,660 (Attached EX15 and EX16) showing the corrected figures as filed on February 18, 2021.

On September 14, 2021, four different Notifications were issued by Jeremy Fleming regarding the Priority Claim (Attached EX17, EX18, EX19, EX 20). These Notifications seemed to contradict one another and were understandably confusing.

On September 16, 2021, a notification was issued by Mafla Sergio regarding priority (EX21). With the four notifications issued previously, I believed that this had re-instated our original December 4, 2019, priority date. This was apparently incorrect.

On May 31, 2022, Applicant attempted to contact Jeremy Fleming and found his number disconnected. Applicant then called the PCT Helpline and spoke with Jim Thompson. Mr. Thompson directed Applicant to submit the Petition to Vacate and Correct the Priority Date to correct errors from Mr. Fleming regarding the priority date.

PCT Application No. PCT/US2020/063271 (Attached EX3), properly claims the priority of US Provisional Application No. 62/943,660 and US Utility Application No. 62/943,660. Identical Replacement Figures were submitted for US Utility Application No. 62/943,660 and PCT Application No. PCT/US2020/063271. These Replacement Figures were accepted for US Utility Application No. 62/943,660 because they did not add anything to the Application which was not previously included in the Specification. However, the Replacement Figures were not accepted for PCT Application No. PCT/US2020/063271, despite the fact that they did not add anything to the Application which was not previously included in the Specification. With the PCT application taking priority from the US application, any corrections to the US application should flow and automatically be accepted into the PCT application.

Applicant Requests that the new priority date of February 18, 2021 be vacated and the correct priority date of December 4, 2019 be restored and forwarded to the International

Bureau and reflected on all documentation. Commissioner is authorized to charge any fees required regarding the original priority claim, including any extension fees that may possibly be required to our Deposit Account 502790.

DECLARATION

I hereby declare that all statements made herein in the above Petition to the Director to Vacate and Correct Priority Claim are of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By: /Blake E. Vande Garde/
Blake E. Vande Garde, Reg. No. 58264
AVEK IP, LLC
8900 State Line Road, Suite 500
Leawood, Kansas 66206
United States
Phone: (913) 549-4700

Docket 3120.2-2 (PCT)

Electronic Acknowledgement Receipt

EFS ID:	37932603
Application Number:	62943660
International Application Number:	
Confirmation Number:	8757
Title of Invention:	MAGNETIC NERVE STIMULATOR
First Named Inventor/Applicant Name:	Kenneth Paulus
Correspondence Address:	Erickson Kernell IP, LLC - 8900 State Line Rd, Suite 500 - Leawood KS 66206 US 913-549-4700 bvg@kcpatentlaw.com
Filer:	Blake Edward Van Garde
Filer Authorized By:	
Attorney Docket Number:	3120.2
Receipt Date:	04-DEC-2019
Filing Date:	
Time Stamp:	18:48:39
Application Type:	Provisional

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$140

RAM confirmation Number		E2019B4I49553378			
Deposit Account					
Authorized User					
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		ProvSpecification.pdf	1426684	yes	31
			4c978f438c7db5350ca9cf6173866ccea843e49cc		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	15	
	Claims		16	21	
	Abstract		22	22	
	Drawings-other than black and white line drawings		23	31	
Warnings:					
Information:					
2	Provisional Cover Sheet (SB16)	ProvisionalSB.pdf	2032255	no	3
			0e6794652ee9657571182e85f1d02a40c5d5e843		
Warnings:					
Information:					
3	Oath or Declaration filed	Declaration_Executed.pdf	266403	no	2
			a7125ca10704d43dd67d163e8edc703028c9c413		
Warnings:					
Information:					

4	Fee Worksheet (SB06)	fee-info.pdf	29730	no	2
			545a440f3de74a760c0855b4d0725102d3a64774		

Warnings:**Information:****Total Files Size (in bytes):**

3755072

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Acknowledgement Receipt

EFS ID:	41297011
Application Number:	17111833
International Application Number:	
Confirmation Number:	2229
Title of Invention:	MAGNETIC NERVE STIMULATOR
First Named Inventor/Applicant Name:	Kenneth Paulus
Customer Number:	126354
Filer:	Blake Edward Van Garde/Debbie Denlinger
Filer Authorized By:	Blake Edward Van Garde
Attorney Docket Number:	3120.2-1
Receipt Date:	04-DEC-2020
Filing Date:	
Time Stamp:	13:07:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$830
RAM confirmation Number	E2020B4D09093692
Deposit Account	502790
Authorized User	Debbie Denlinger

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	aia0014_ADS.pdf	1255966	no	8
			7c7edda7b4fcfefdaef90e78be3aefff994d86		

Warnings:**Information:**

2		Specification.pdf	186781	yes	31
			810d4593f11573ad0bb30df79dc22390aadde7bc		

Multipart Description/PDF files in .zip description

	Document Description	Start	End
	Abstract	31	31
	Claims	22	30
	Specification	1	21

Warnings:**Information:**

3	Drawings-only black and white line drawings	Figures.pdf	1146423	no	11
			5ac8c315ebe566b849f3c8416b863c41d6dd94c		

Warnings:**Information:**

4	Oath or Declaration filed	Declaration_Paulus_executed.pdf	245755	no	2
			876bf5cdf1ef8a431ed12fbbe2bdac5697102475		

Warnings:**Information:**

5	Power of Attorney	POA_executed_Paulus.pdf	161378	no	1
			e51f7ba89a619874890da0c00ef7e953d7a06d4f		

Warnings:					
Information:					
6	Fee Worksheet (SB06)	fee-info.pdf	35226	no	2
			e9da9c48f79361a8b7bca1d97865ad6b10a847b8		
Warnings:					
Information:					
Total Files Size (in bytes):				3031529	
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

Electronic Acknowledgement Receipt	
EFS ID:	41298911
Application Number:	
International Application Number:	PCT/US20/63271
Confirmation Number:	7629
Title of Invention:	MAGNETIC NERVE STIMULATOR
First Named Inventor/Applicant Name:	Kenneth Paulus
Customer Number:	126354
Correspondence Address:	Blake E. Vande Garde Erickson Kernell IP, LLC 8900 State Line Road, Suite 500 - Leawood KS 66206 US 913-549-4700 ekdkdocket@kcpatentlaw.com
Filer:	Blake Edward Van Garde/Debbie Denlinger
Filer Authorized By:	Blake Edward Van Garde
Attorney Docket Number:	3120.2-2 (PCT)
Receipt Date:	04-DEC-2020
Filing Date:	
Time Stamp:	14:39:30
Application Type:	International Application (PCT) for filing in the US receiving office
Patent Number:	

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$2970
RAM confirmation Number	E2020B4E41095471
Deposit Account	502790
Authorized User	Debbie Denlinger

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.445(a)(1), (a)(2), (a)(4) and (b) (International application filing, processing and search fees)

37 CFR 1.17(m) (Acceptance of an unintentionally delayed claim for priority)

PCT Rule 14

PCT Rule 15

PCT Rule 16

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Specification.pdf	187185	yes	31
			af7dc53b5bec75d2bdfcd72be43c061442d30211		

Multipart Description/PDF files in .zip description

Document Description		Start	End
Abstract		31	31
Claims		22	30
Specification		1	21

Warnings:

Information:

2	Drawings-only black and white line drawings	Figures.pdf	1146423	no	11
			1c1a018cec411daca2afcd5a1bf9059a0dda bdf9		

Warnings:

Information:

3	RO/101 - Request form for new IA - Conventional	PCT_Request_1.pdf	360971	no	8
			65bf22ff929f8413f9265ca84327d3dbc6fc27be		

Warnings:

Information:

4	Fee Worksheet (SB06)	fee-info.pdf	36741	no	2
			eda69e905d29b6daddfc2172a6e10d8457b0e357		

Warnings:**Information:****Total Files Size (in bytes):**

1731320

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PCT**REQUEST**

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum) 3120.2-2(PCT)

Box No. I TITLE OF INVENTION	
MAGNETIC NERVE STIMULATOR	
Box No. II APPLICANT ☒ This person is also inventor	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	Telephone No.
Kenneth Paulus 1809 Browning Ave. Charlotte, NC 27295, US	Facsimile No.
	Applicant's registration No. with the Office
E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application to that e-mail address if those offices are willing to do so. ☐ as advance copies followed by paper notifications; or ☐ exclusively in electronic form (no paper notifications will be sent). E-mail address:	
State (that is, country) of nationality: US	State (that is, country) of residence: US
This person is applicant for the purposes of: ☒ all designated States ☐ the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
☒ Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	☒ agent ☐ common representative
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
VANDE GARDE, BLAKE E. Erickson Kernell IP, LLC 8900 State Line Road, Suite 500 Leawood, KS 66206 US	913-549-4700
	Facsimile No. 913-549-4646
	Agent's registration No. with the Office 58,264
E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application to that e-mail address if those offices are willing to do so. ☐ as advance copies followed by paper notifications; or ☒ exclusively in electronic form (no paper notifications will be sent). E-mail address: ekdkdocket@kcpatentlaw.com	
☐ Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S) <i>If none of the following sub-boxes is used, this sheet should not be included in the request.</i>	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: ☐ applicant only ☐ applicant and inventor ☐ inventor only <i>(If this check-box is marked, do not fill in below.)</i> Applicant's registration No. with the Office
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: ☐ all designated States ☐ the States indicated in the Supplemental Box	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: ☐ applicant only ☐ applicant and inventor ☐ inventor only <i>(If this check-box is marked, do not fill in below.)</i> Applicant's registration No. with the Office
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: ☐ all designated States ☐ the States indicated in the Supplemental Box	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: ☐ applicant only ☐ applicant and inventor ☐ inventor only <i>(If this check-box is marked, do not fill in below.)</i> Applicant's registration No. with the Office
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: ☐ all designated States ☐ the States indicated in the Supplemental Box	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: ☐ applicant only ☐ applicant and inventor ☐ inventor only <i>(If this check-box is marked, do not fill in below.)</i> Applicant's registration No. with the Office
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: ☐ all designated States ☐ the States indicated in the Supplemental Box	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: ☐ applicant only ☐ applicant and inventor ☐ inventor only <i>(If this check-box is marked, do not fill in below.)</i> Applicant's registration No. with the Office
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: ☐ all designated States ☐ the States indicated in the Supplemental Box	
☐ Further applicants and/or (further) inventors are indicated on another continuation sheet.	

Sheet No.

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)

The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (iv) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that the above-identified international application was made or authorized to be made by me.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Name: Kenneth Paulus

Residence: Charlotte, North Carolina
(city and either US state, if applicable, or country)

Mailing Address: 1809 Browning Ave.
Charlotte, NC 27265, US

Inventor's Signature: _____
(The signature must be that of the inventor, not that of the agent)

Date: December 4, 2020

Name: _____

Residence: _____
(city and either US state, if applicable, or country)

Mailing Address: _____

Inventor's Signature: _____
(The signature must be that of the inventor, not that of the agent)

Date: _____

Name: _____

Residence: _____
(city and either US state, if applicable, or country)

Mailing Address: _____

Inventor's Signature: _____
(The signature must be that of the inventor, not that of the agent)

Date: _____

Box No. V DESIGNATIONS

The filing of this request constitutes under Rule 4.9(a) the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.

However,

- ☐ DE Germany is not designated for any kind of national protection
- ☐ JP Japan is not designated for any kind of national protection
- ☐ KR Republic of Korea is not designated for any kind of national protection

(The check-boxes above may only be used to exclude (irrevocably) the designations concerned if, at the time of filing or subsequently under Rule 26bis.1, the international application contains in Box No. VI a priority claim to an earlier national application filed in the particular State concerned, in order to avoid the ceasing of the effect, under the national law, of this earlier national application.)

Box No. VI PRIORITY CLAIM AND DOCUMENT

The priority of the following earlier application(s) is hereby claimed:

Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application: regional Office	international application: receiving Office
item (1) 4 December 2019 (04.12.2019)	62943660	US		
item (2) 04 December 2020 (04.12.2020)	17111833	US		
item (3)				

☐ Further priority claims are indicated in the Supplemental Box.

Furnishing the priority document(s):

☒ The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application(s) was filed with the receiving Office which, for the purposes of this international application, is the receiving Office) identified above as:

☐ all items ☐ item (1) ☒ item (2) ☐ item (3) ☐ other, see Supplemental Box

☐ The International Bureau is requested to obtain from a digital library a certified copy of the earlier application(s) identified above, using, where applicable, the access code(s) indicated below (if the earlier application(s) is available to it from a digital library):

☐ item (1) access code _____ ☐ item (2) access code _____ ☐ item (3) access code _____ ☐ other, see Supplemental Box

Restore the right of priority: the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (_____). (See also the Notes to Box No. VI; further information *must* be provided to support a request to restore the right of priority.)

Incorporation by reference: where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6.

Box No. VII INTERNATIONAL SEARCHING AUTHORITY

Choice of International Searching Authority (ISA) (if more than one International Searching Authority is competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):

ISA/ US

Continuation of Box No. VII USE OF EARLIER SEARCH AND CLASSIFICATION RESULTS		
1. Request by the applicant under Rule 4.12		
1.1 ☐ The ISA indicated in Box No. VII is requested to take into account the results of the earlier search(es) indicated below <i>(see also Notes to Continuation of Box No. VII, item 1; use of results of more than one earlier search)</i> Filing date (day/month/year) Application Number Country (or regional Office)		
☐ Statement (Rule 4.12(ii)): this international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out except, where applicable, that it is filed in a different language.		
1.2 Submission of the earlier search results, where necessary* ☐ Availability of documents (Rules 12bis.1(c) and (d) and 12bis.2(b)): the following documents are available to the ISA in a form and a manner acceptable to it, and therefore DO NOT need to be submitted by the applicant to the receiving Office, or to the ISA.		
☐ a copy of the results of the earlier search, ☐ a copy of the earlier application, ☐ a translation of the earlier application into a language which is accepted by the ISA, ☐ a translation of the results of the earlier search into a language which is accepted by the ISA, ☐ a copy of any document cited in the earlier search results (if known, please indicate below the documents available to the ISA):		
☐ Request from the applicant to the receiving Office to transmit to the ISA a copy of the earlier search results (Rule 12bis.1(b) and (d)): (where the earlier search was not carried out by the ISA indicated in Box No. VII but by the same Office as that which is acting as receiving Office; or where the earlier search results are otherwise available to the receiving Office): the applicant requests the receiving Office to prepare and transmit to the ISA a copy of the earlier search results.		
* The applicant only needs to furnish a copy of the earlier search results to the receiving Office, or the ISA, if none of the scenarios mentioned under item 1 applies. (See item 10 in the check-list and also Notes to Continuation of Box No. VII, item 1).		
☐ Further earlier searches are indicated on a continuation sheet.		
2. Transmission of the earlier search and classification results to the ISA by the receiving Office where the applicant DID NOT make a request under Rule 4.12		
2.1 Where the international application claims priority of an earlier application, subject to Article 30(2)(a) and (3), the receiving Office: – shall transmit a copy of the earlier search and classification results to the ISA (unless such copy is already available to the ISA), where the earlier application was filed with the same Office as that which is acting as the receiving Office and that Office has carried out the earlier search in respect of the earlier application (Rule 23bis.2(a)); – may transmit such a copy if the earlier application was filed with a different Office, but where the results of that earlier search and classification are nevertheless available to the receiving Office (Rule 23bis.2(c)).		
However, where the applicant did not request the receiving Office to transmit to the ISA a copy of the earlier search results under Rule 4.12 (see above item 1), in respect of an earlier search carried out on the following earlier application, the priority of which is subsequently claimed in this international application, the applicant may consider (see also Notes to Continuation of Box No. VII, item 2; use of more than one earlier search):		
Filing date (day/month/year) Application Number Country (or regional Office)		
2.2 Request not to transmit the earlier search results by the receiving Office to the ISA (Rule 23bis.2(b)) ☐ to request that the receiving Office DOES NOT transmit the results of the earlier search to the ISA (Rule 23bis.2(b)) (may only be checked where the international application is filed with the following receiving Offices: DE, FI and SE)		
2.3 Authorization to transmit the earlier search and classification results by the receiving Office to the ISA (Rule 23bis.2(a) and (c)) ☐ to authorize the receiving Office to transmit the results of the earlier search and classification to the ISA (Rule 23bis.2(c)) (may only be checked where the international application is filed with the following receiving Offices: AU, CH, CZ, FI, HU, IL, JP, NO, SE, SG and US)		
☐ to authorize the receiving Office to transmit the results of the earlier international search and classification to the ISA (Rule 23bis.2(a) and Article 30(2)(a) and (3)) (may only be checked where the earlier search concerns an international application , the priority of which is subsequently claimed in this international application and where the earlier international search was carried out by a different ISA than the ISA chosen in Box No. VII)		
☐ Further earlier searches are indicated on a continuation sheet.		
Box No. VIII DECLARATIONS		
The following declarations are contained in Boxes Nos. VIII (i) to (v) (mark the applicable check-boxes below and indicate in the right column the number of each type of declaration):		Number of declarations
☐ Box No. VIII (i)	Declaration as to the identity of the inventor	:
☐ Box No. VIII (ii)	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:
☐ Box No. VIII (iii)	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:
☒ Box No. VIII (iv)	Declaration of inventorship (only for the purposes of the designation of the United States of America)	:
☐ Box No. VIII (v)	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	:
		2

The undersigned applicant(s) (Names should be indicated as they appear in the Request Form (PCT/RO/101)).

Kenneth Paulus
1809 Browning Ave.
Charlotte, NC 27295

hereby appoints (appoint) the following person as:



agent



common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

Vande Garde, Blake E.
Erickson Kernell IP, LLC
8900 State Line Road, Suite 500
Leawood, KS 66206
USA

to represent the undersigned before



all the competent International Authorities



the International Searching Authority only



the Authority specified for supplementary search only

(please indicate the Authority(ies) specified for supplementary search)



the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: MAGNETIC NERVE STIMULATOR

Applicant's or agent's file reference: 3120.2-2 (PCT)

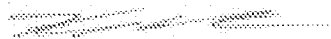
International application number (if already available):

filed with the following Office

as receiving Office

and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power):



Kenneth Paulus, Applicant/Inventor

Date: December 3, 2020

Box No. IX CHECK LIST for EFS-Web filings - this sheet is only to be used when filing an international application with RO/US via EFS-Web			
This international application contains the following:	Number of sheets	This international application is accompanied by the following item(s) (<i>mark the applicable check-boxes below and indicate in right column the number of each item</i>):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) :	7	1. ☒ fee calculation sheet :	1
(b) description (excluding any sequence listing part of the description, see (f), below) :	21	2. ☐ original separate power of attorney :	
(c) claims :	9	3. ☐ original general power of attorney :	
(d) abstract :	1	4. ☒ copy of general power of attorney; reference number: :	1
(e) drawings (if any) :	11	5. ☐ priority document(s) identified in Box No. VI as item(s) :	
(f) sequence listing part of the description in the form of an image file (e.g. PDF) :		6. ☐ Translation of international application into (language): :	
Total number of sheets (including the sequence listing part of the description if filed as an image file) :	49	7. ☐ separate indications concerning deposited microorganism or other biological material :	
(g) sequence listing part of the description		8. ☐ (<i>only where item (f) is marked in the left column</i>) copy of the sequence listing in electronic form (Annex C/ST.25 text file) not forming part of the international application but furnished only for the purposes of international search under Rule 13ter :	
☐ filed in the form of an Annex C/ST.25 text file		9. ☐ (<i>only where item (f) (in the left column) and item 8 (above) are marked</i>) a statement confirming that "the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application" as filed via EFS-Web: :	
☐ WILL BE filed separately on physical data carrier(s), on the same day and in the form of an Annex C/ST.25 text file		10. ☐ copy of results of earlier search(es) (Rule 12bis.1(a)) :	
Indicate type and number of physical data carrier(s) :		11. ☐ other (<i>specify</i>): :	
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	English
Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE <i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i>			
/blake e. vande garde/			
Blake E. Vande Garde, Agent and Attorney for Applicant Reg. No. 58,264			

For receiving Office use only	
1. Date of actual receipt of the purported international application:	2. Drawings: ☐ received: ☐ not received:
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):	
5. International Searching Authority (if two or more are competent): ISA /	6. ☐ Transmittal of search copy delayed until search fee is paid

For International Bureau use only
Date of receipt of the record copy by the International Bureau:

This sheet is not part of and does not count as a sheet of the international application.

PCT**FEE CALCULATION SHEET**

Annex to the Request

For receiving Office use only

International Application No.

Date stamp of the receiving Office

Applicant's or agent's
file reference

3120.2-2(PCT)

Applicant

ITI Technologies, Inc.

CALCULATION OF PRESCRIBED FEES*(Applicants may be entitled to a reduction of certain fees as indicated in the PCT Fee Tables
(<http://www.wipo.int/pct/en/fees.pdf>))*1. TRANSMITTAL FEE: 130 **T**2. SEARCH FEE: 1090 **S**International search to be carried out by: US

3. INTERNATIONAL FILING FEE

Enter total number of sheets indicated in Box No IX: 49**i1** Fixed amount for the first 30 sheets 1446 **i1****i2** 19 x 16 = 304 **i2**
number of sheets fee per sheet
in excess of 30Add amounts entered at i1 and i2 and enter total at I: 1757 **I***(Applicants from certain States are entitled to a reduction of 90% of the international filing fee (see
http://www.wipo.int/pct/en/fees/fee_reduction.pdf). Where the applicant is (or all applicants are) so entitled,
the total to be entered at I is 10% of the international filing fee.)*4. FEE FOR PRIORITY DOCUMENT (if applicable): 0 **P**5. FEE FOR RESTORATION OF THE RIGHT OF PRIORITY (if
applicable): 0 **RP**6. FEE FOR EARLIER SEARCH DOCUMENTS (if applicable): 0 **ES**

7. TOTAL FEES PAYABLE 2970.00

Add amounts entered at T, S, I, P, RP and ES,
and enter total in the TOTAL box

TOTAL

MODE OF PAYMENT (Not all modes of payment may be available at all receiving Offices)☒ credit card (details should
not be included on this sheet)☐ authorization to charge deposit
or current account (see below)☐ bank transfer☐ cash☐ postal money order☐ check☐ revenue stamps☐ other (specify):**AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT***(This mode of payment may not be available at all receiving Offices)*☐ Authorization to charge the total fees indicated above.☒ (This check-box may be marked only if the conditions for deposit or current
accounts of the receiving Office so permit) Authorization to charge any
deficiency or credit any overpayment in the total fees indicated above.☐ Authorization to charge the fee for priority document.Receiving Office: RO/ USDeposit or Current Account No.: 502790Date: December 4, 2020Name: Blake E. Vande GardeSignature: /blake e. vande garde/

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

NOTIFICATION OF RECEIPT
OF SEARCH COPY

(PCT Rule 25.1)

Confirmation No: 7629

Date of mailing
(day/month/year)

18 Dec 2020

Applicant's or agent's file reference

3120.2-2(PCT)

IMPORTANT NOTIFICATION

International application No.

PCT/US2020/063271

International filing date (day/month/year)

04 Dec 2020

Priority date (day/month/year)

04 Dec 2019

Applicant

PAULUS, KENNETH

1. Where the International Searching Authority and the receiving Office are not the same Office:

The applicant is hereby notified that the search copy of the international application was received by this International Searching Authority on the date indicated below.

Where the International Searching Authority and the receiving Office are the same Office:

The applicant is hereby notified that the search copy of the international application was received on the date indicated below.

18 Dec 2020

(date of receipt)

2. ☐ The search copy was accompanied by a nucleotide and/or amino acid sequence listing in the form of an Annex C/ST.25 text file under PCT Rule 13~~ter~~.1(a) for the purposes of international search only.

3. ☐ The search copy contained a nucleotide and/or amino acid sequence listing in the form of an Annex C/ST.25 text file forming part of the international application as filed.

4. Time limit for establishment of international search report and written opinion of the International Searching Authority

The applicant is informed that the time limit for establishing the international search report and the written opinion of the International Searching Authority is three months from the date of receipt indicated above or nine months from the priority date, whichever time limit expires later (Rules 42.1 and 43~~bis~~.1(a)).

A copy of this Notification has been sent to the International Bureau and, where the first sentence of paragraph 1 applies, to the receiving Office.

Name and mailing address of the ISA/US

Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Facsimile No. 571-273-8300

Authorized officer

Felicia Lawrence

Telephone No. 571-272-3546

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

INVITATION TO CORRECT DEFECTS IN
THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 26)

Date of mailing (day/month/year) 18 Dec 2020	
Applicant's or agent's file reference 3120.2-2(PCT)	REPLY DUE within TWO MONTHS from the above date of mailing
International application No. PCT/US2020/063271	International filing date (day/month/year) 04 Dec 2020
Applicant PAULUS, KENNETH	

1. ☒ The applicant is hereby **invited**, within the time limit indicated above, to correct **in the international application as filed**, the defects specified on the attached:
- ☐ Annex A
- ☐ Annex B1 (*text matter of the international application as filed*)
- ☒ Annex C1 (*drawings of the international application as filed*)
2. ☐ The applicant is hereby **invited**, within the time limit indicated above, to correct, **in the translation of the international application** furnished under Rule 12.3 or 12.4, the defects specified on the attached:
- ☐ Annex A
- ☐ Annex B2 (*text matter of the translation of the international application*)
- ☐ Annex C2 (*drawings of the translation of the international application*)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS?

Except where the defect is in the request, any correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. For a defect in the request, a correction may simply be stated in a letter if it is of such a nature that the correction can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this Invitation and any attachments has been sent to the International Bureau

☒ and the International Searching Authority.

Name and mailing address of the receiving Office Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. 571-273-8300	Authorized officer Felicia Lawrence Telephone No. 571-272-3546
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ANNEX A TO FORM PCT/RO/106

International application No.

PCT/US2020/063271

The receiving Office has found the following defects in the international application as filed:

1. As to the **signature** of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request:
- a. ☐ is not signed by the applicant or, if there is more than one applicant, by at least one of them*.
 - b. ☐ is signed by what appears to be an agent/common representative, but the international application is not accompanied by a power of attorney signed by at least one of the applicants*.
 - c. ☐ other (*specify*):

* The applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51 bis.1(a)(vi)).

2. As to the indications concerning the **applicant*** who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):
- a. ☐ does not properly indicate the applicant's name (*specify*):
 - b. ☐ does not indicate the applicant's address.
 - c. ☐ does not properly indicate the applicant's address (*specify*):
 - d. ☐ does not indicate the applicant's nationality.
 - e. ☐ does not indicate the applicant's residence.

☐ Further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51 bis.1(a)(vii)).

3. As to the **language** of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
- a. ☐ the **request** is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
 - b. ☐ the **text matter of the drawings** is not in the language in which the international application is to be published, which is:
 - c. ☐ the **abstract** is not in the language in which the international application is to be published, which is:

4. The **title** of the invention:
- a. ☐ is not indicated in Box No. 1 of the request (Rule 4.1(a)).
 - b. ☐ is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
 - c. ☐ as appearing in Box No. 1 of the request is not identical with the title heading the description (Rule 5.1(a)).

5. As to the **abstract** (Rules 8 and 26.1):
- ☐ the international application does not contain an abstract.

ANNEX B1 TO FORM PCT/RO/106

International application No.

PCT/US2020/063271

This receiving Office has found that, with regard to the presentation of the **text matter of the international application as filed**, the physical requirements are not complied with to the extent that compliance therewith is necessary for:

1. ☐ reasonably uniform international publication (Rules 11 and 26.3(a)(i)) (*defects to be specified*):

	Request	Description	Claims	Abstract
a. ☐ the sheets do not admit of direct reproduction	☐	☐	☐	☐
b. ☐ the element does not commence on a new sheet	☐	☐	☐	☐
c. ☐ sheets are not free from creases, cracks, folds	☐	☐	☐	☐
d. ☐ sheets are not used in the upright position	☐	☐	☐	☐
e. ☐ one side of the sheets is not left unused	☐	☐	☐	☐
f. ☐ the paper of the sheets is not flexible/strong/white/smooth/non-shiny/durable	☐	☐	☐	☐
g. ☐ the sheets are not connected as prescribed (Rule 11.4(b))	☐	☐	☐	☐
h. ☐ sheets are not A4 size (29.7cm x 21cm)	☐	☐	☐	☐
i. ☐ the minimum margins on the sheets are not as prescribed (top: 2cm; left side: 2.5cm; right side: 2cm; bottom: 2cm)		☐	☐	☐
j. ☐ the file reference number indicated on the sheets does not appear in the left-hand corner of the sheets, within 1.5 cm of the top of the sheets		☐	☐	☐
k. ☐ the file reference number exceeds the maximum of 12 characters	☐	☐	☐	☐
l. ☐ the sheets of the description, claims and abstract are not numbered in consecutive Arabic numerals		☐	☐	☐
m. ☐ the sheet numbers are not centered at the top or bottom of the sheets	☐	☐	☐	☐
n. ☐ the sheet numbers are in the margin (see i. above for the size of the margins)		☐	☐	☐
o. ☐ the text matter is not typed or printed	☐	☐	☐	☐
p. ☐ the typing on the sheets is not 1½-spaced		☐	☐	☐
q. ☐ the characters in the text matter on the sheets are less than 0.28 cm high in capital letters	☐	☐	☐	☐
r. ☐ the text matter on the sheets is not in dark, indelible color	☐	☐	☐	☐
s. ☐ the element contains drawings	☐	☐	☐	☐
t. ☐ the sheets contain alterations/overwritings/interlineations/too many erasures	☐	☐	☐	☐
u. ☐ the sheets contain photocopy marks	☐	☐	☐	☐

2. ☐ satisfactory reproduction (Rules 11 and 26.3(b)(i))

Further observations (*if necessary*):

ANNEX C1 TO FORM PCT/RO/106

International application No.

PCT/US2020/063271

This receiving Office has found that, with regard to the presentation of the **drawings of the international application as filed**, the physical requirements are not complied with to the extent that compliance therewith is necessary for:

1. ☒ reasonably uniform international publication (Rules 11 and 26.3(a)(i)) (*defects to be specified*):

Sheets containing drawings:

- a. ☐ the sheets do not admit of direct reproduction
- b. ☐ the sheets are not free from creases, cracks, folds
- c. ☐ one side of the sheets is not left unused
- d. ☐ the paper of the sheets is not flexible/strong/white/smooth/non-shiny/durable
- e. ☐ the drawings do not commence on a new sheet
- f. ☐ the sheets are not connected as prescribed (Rule 11.4(b))
- g. ☐ the sheets are not A4 size (29.7cm x 21cm)
- h. ☐ the minimum margins on the sheets are not as prescribed (top: 2.5cm; left side: 2.5cm; right side: 1.5cm; bottom: 1cm)
- i. ☐ the file reference number indicated on the sheets does not appear in the left-hand corner of the sheets, within 1.5cm of the top of the sheets
- j. ☐ the file reference number exceeds the maximum of 12 characters
- k. ☐ the sheets are not free from frames around usable or used surfaces
- l. ☐ the sheets are not numbered in consecutive Arabic numerals (e.g. 1/3, 2/3, 3/3)
- m. ☐ the sheet numbers are not centered at the top or bottom of the sheets
- n. ☐ the sheet numbers are in the margin (see h. above for the size of the margins)
- o. ☐ the sheets contain alterations/overwritings/interlineations/too many erasures
- p. ☐ the sheets contain photocopy marks

Drawings (Rule 11.13):

- a. ☒ do not admit of direct reproduction
- b. ☐ contain unnecessary text matter
- c. ☐ contain words so placed as to prevent translation without interference with lines thereof
- d. ☒ are not executed in durable black color; the lines are not uniformly thick and well-defined
- e. ☐ contain cross-sections not properly hatched
- f. ☐ would not be properly distinguishable in reduced reproduction
- g. ☐ contain scales not represented graphically
- h. ☐ contain numbers, letters and reference lines lacking simplicity and clarity
- i. ☐ contain lines drafted without the aid of drafting instruments
- j. ☐ contain disproportionate elements of a figure not necessary for clarity
- k. ☒ contain numbers and letters of height less than 0.32 cm
- l. ☐ contain letters not conforming to the Latin, and where customary, Greek alphabets
- m. ☐ contain figures on two or more sheets which form a single complete figure but which are not able to be assembled without concealing parts thereof
- n. ☐ contain figures which are not properly arranged and clearly separated
- o. ☐ contain different figures not numbered in consecutive Arabic numerals
- p. ☐ contain different figures not numbered independently of the numbering of the sheets
- q. ☐ are not restricted to reference signs mentioned in the description
- r. ☐ do not contain reference signs that are mentioned in the description
- s. ☐ contain the same feature denoted by different reference signs
- t. ☐ are not arranged in an upright position, clearly separated from one another
- u. ☐ are not presented sideways with the top of the figures at the left side of the sheets

2. ☐ satisfactory reproduction (Rules 11 and 26.3(b)(i))

Further observations (*if necessary*):

ALL DRAWINGS

Electronic Acknowledgement Receipt

EFS ID:	41955919
Application Number:	17111833
International Application Number:	
Confirmation Number:	2229
Title of Invention:	MAGNETIC NERVE STIMULATOR
First Named Inventor/Applicant Name:	Kenneth Paulus
Customer Number:	126354
Filer:	Blake Edward Van Garde/Debbie Denlinger
Filer Authorized By:	Blake Edward Van Garde
Attorney Docket Number:	3120.2-1
Receipt Date:	18-FEB-2021
Filing Date:	04-DEC-2020
Time Stamp:	13:04:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	Request_File_Replacement_Sheets_Drawings_20210218.pdf	70883	no	1
			95a3710ef24c03f570859e82ec1c93ae4107b372a		

Warnings:

Information:					
2	Drawings-only black and white line drawings	Figures_Replacement_20210218.pdf	1253354 b58e639657a6df4561d7c74172d4cdd8f09e1eba	no	12
Warnings:					
Information:					
Total Files Size (in bytes):			1324237		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

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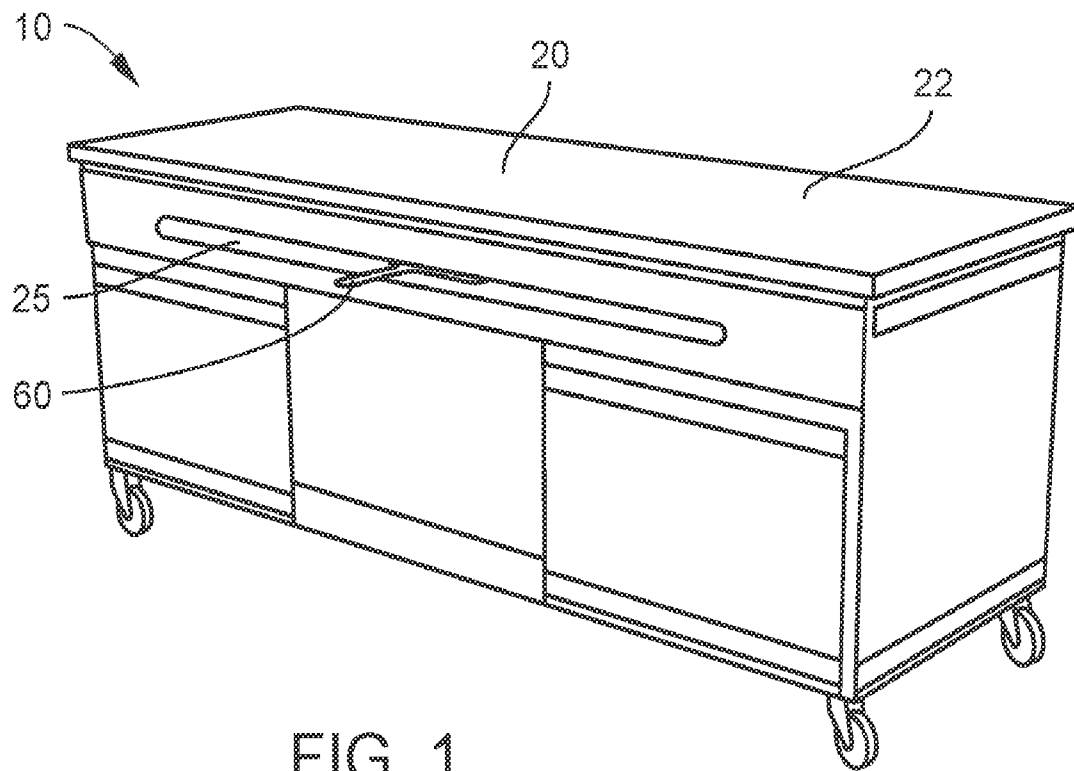


FIG. 1

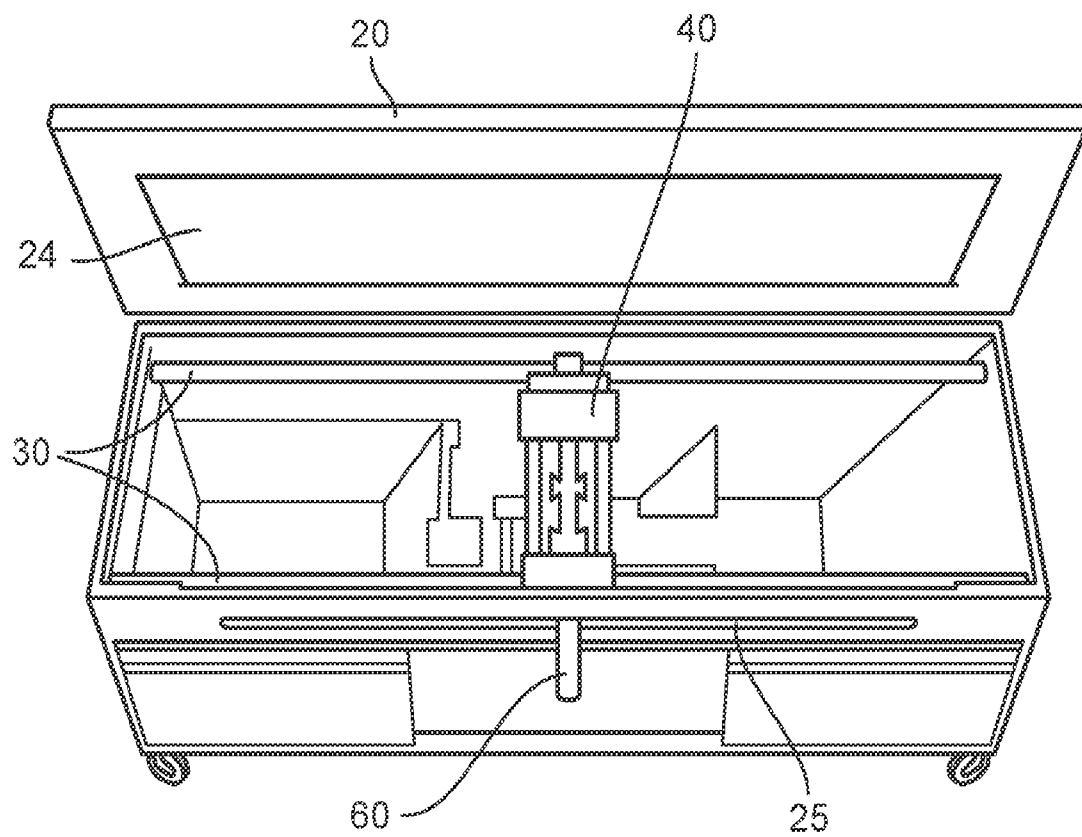


FIG. 2

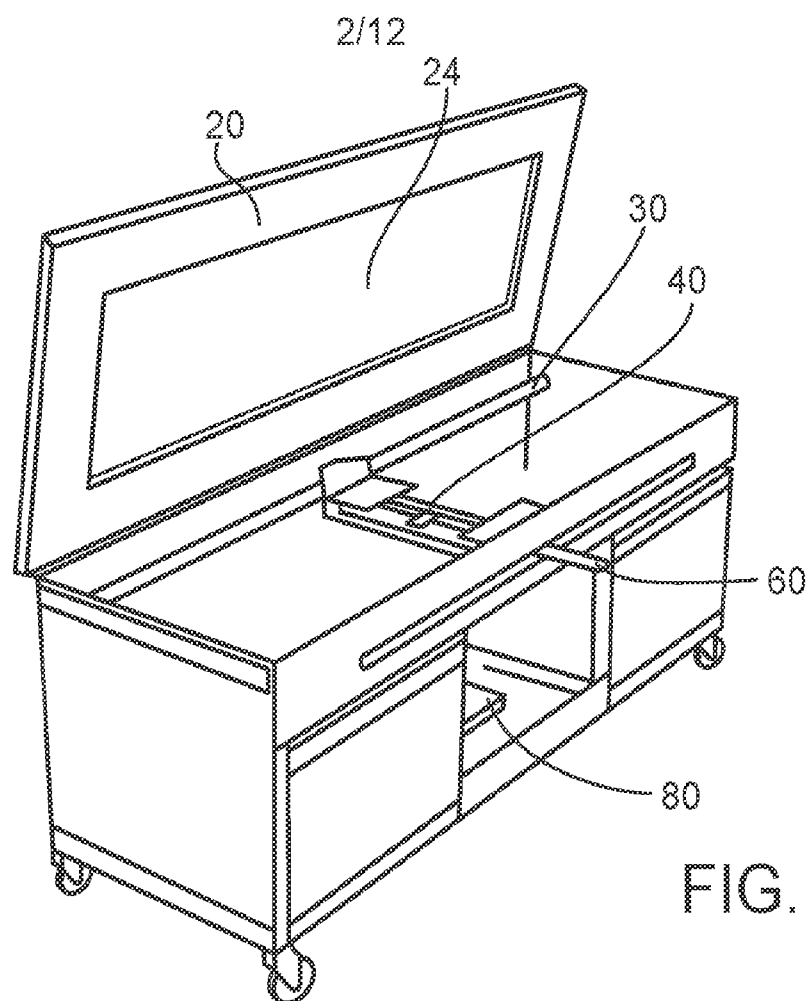


FIG. 3

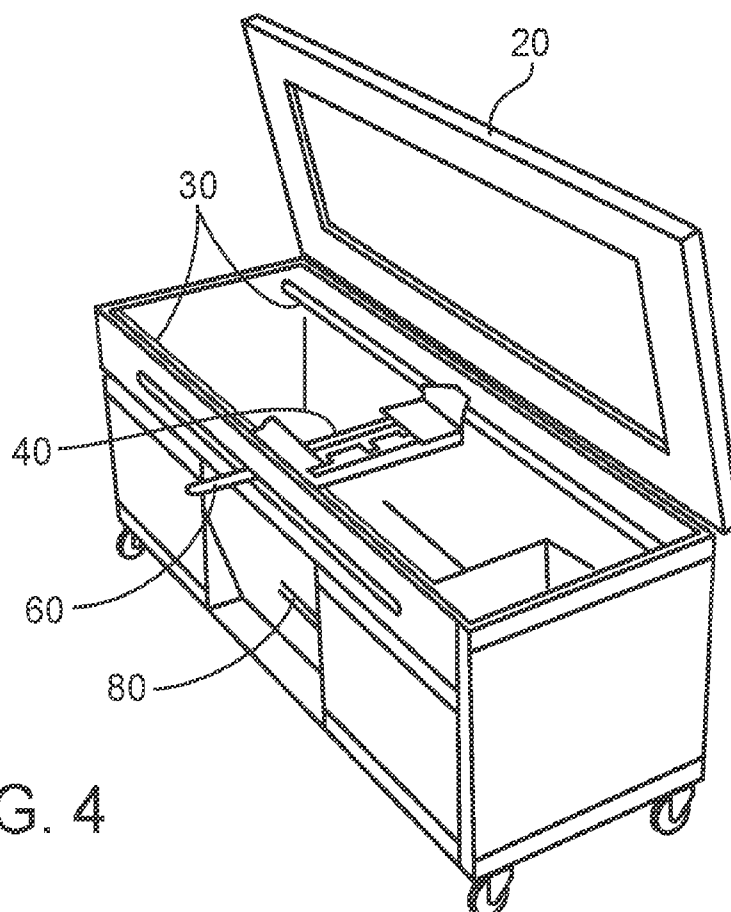


FIG. 4

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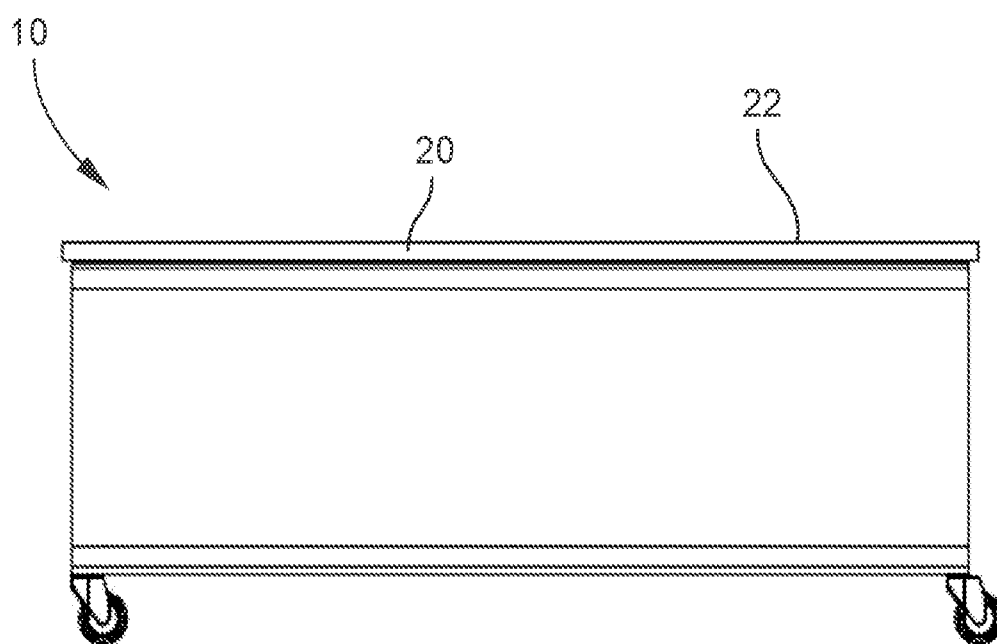


FIG. 5

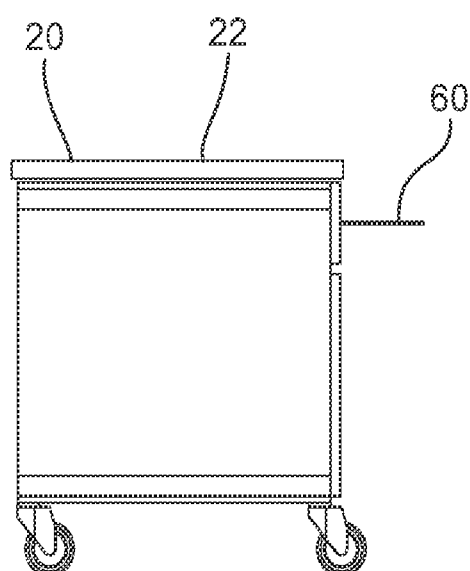


FIG. 6

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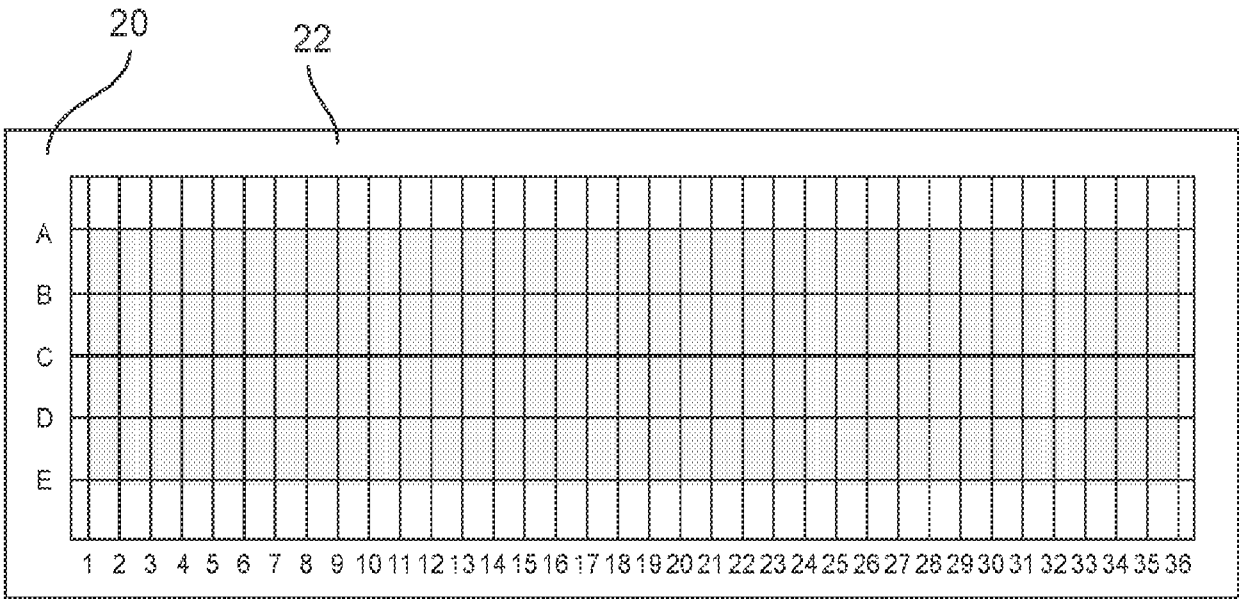


FIG. 7

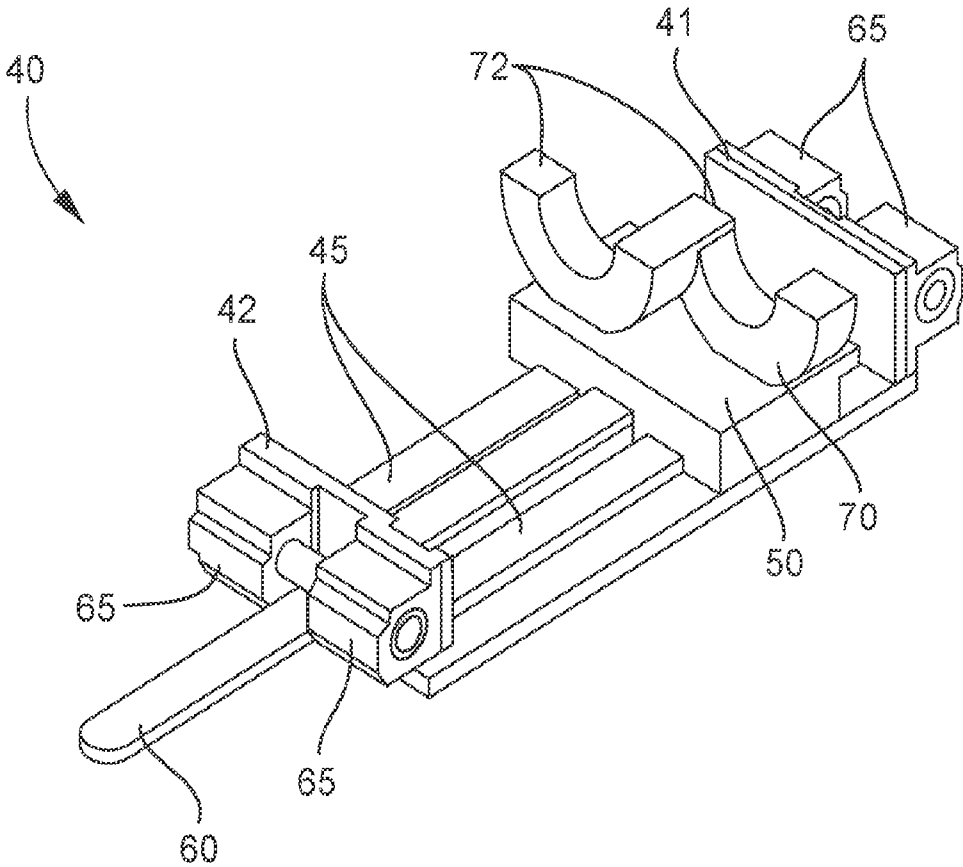


FIG. 8

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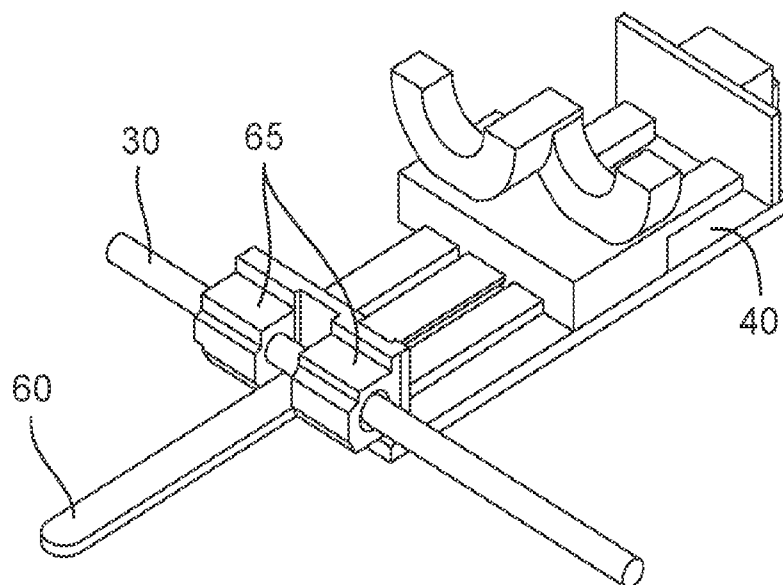


FIG. 9

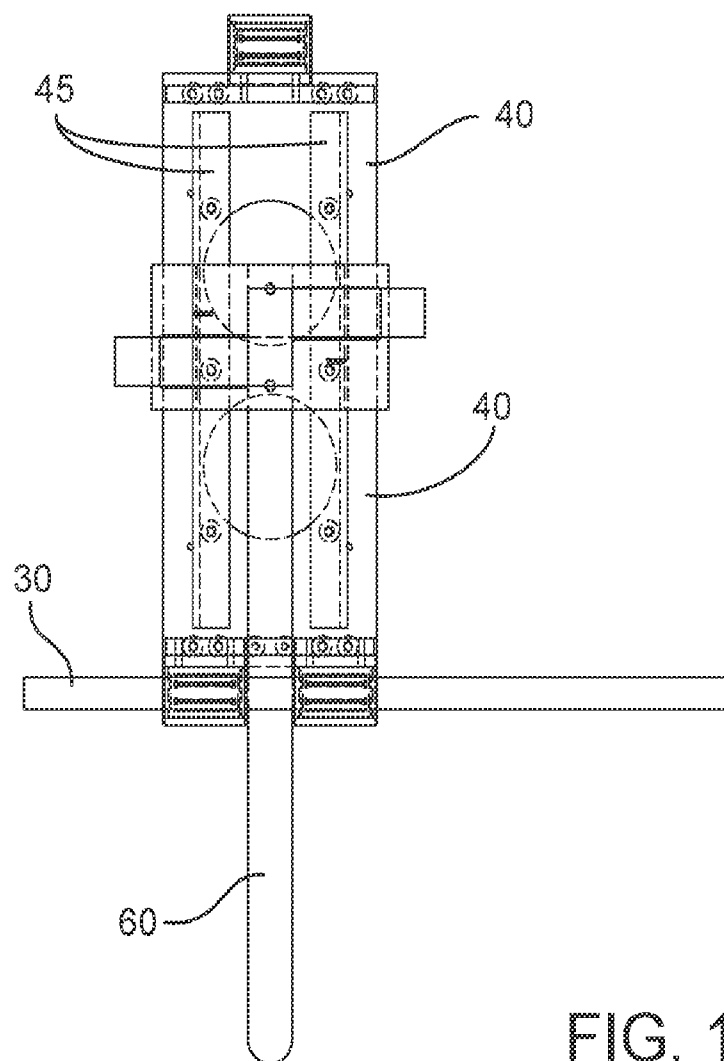


FIG. 10

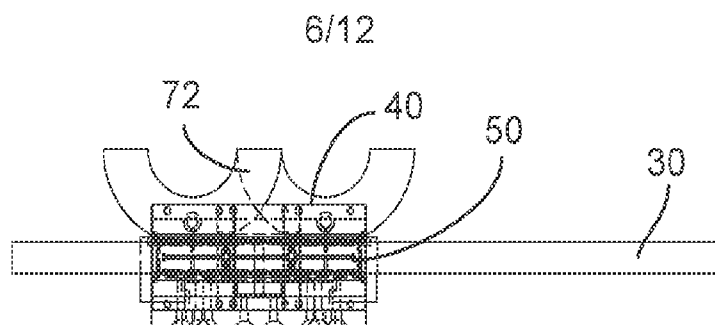


FIG. 11

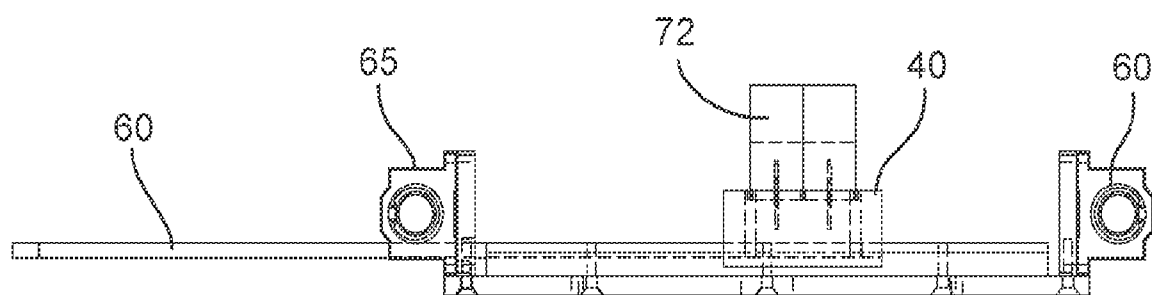


FIG. 12

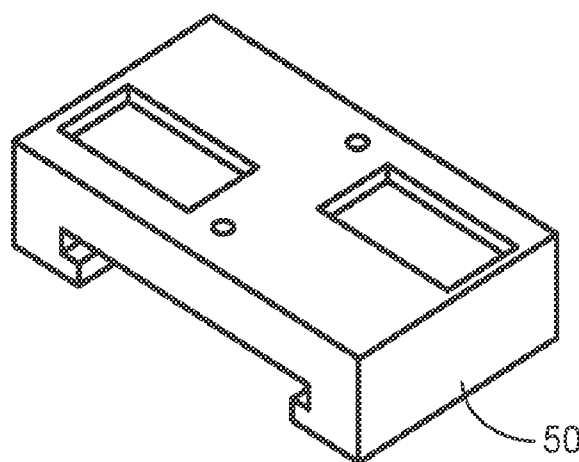


FIG. 13

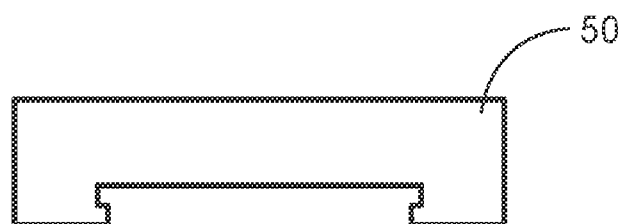


FIG. 14

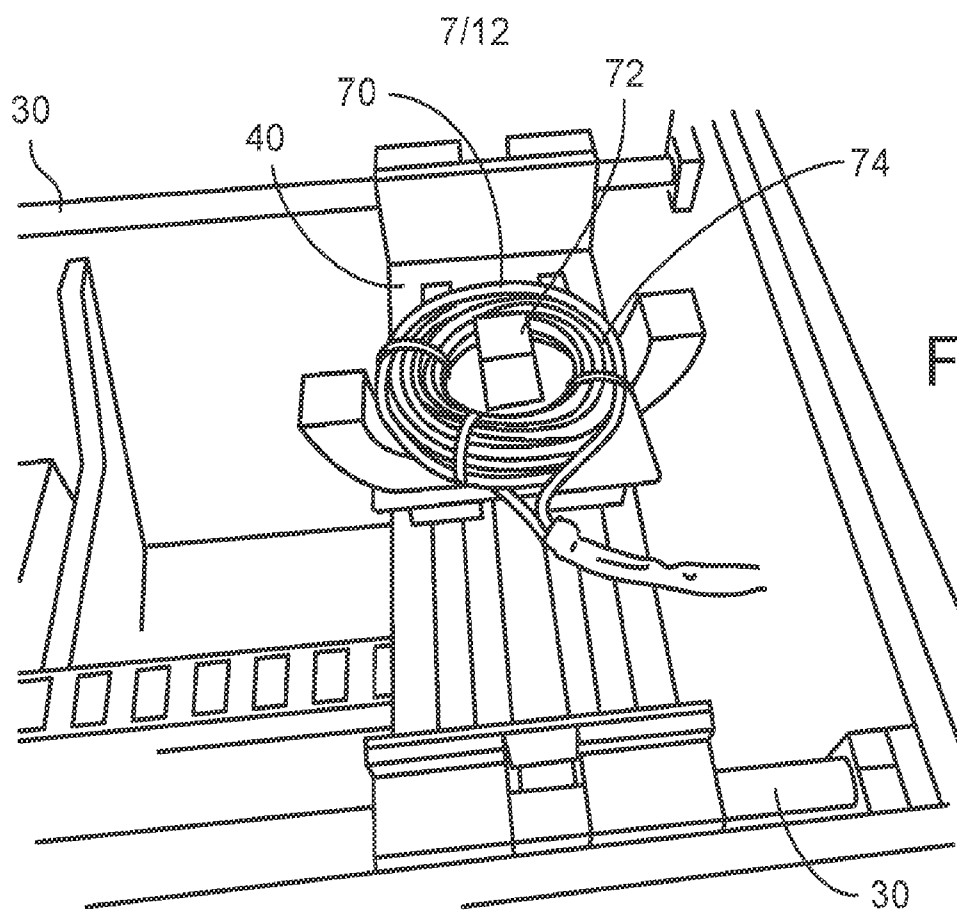


FIG. 15

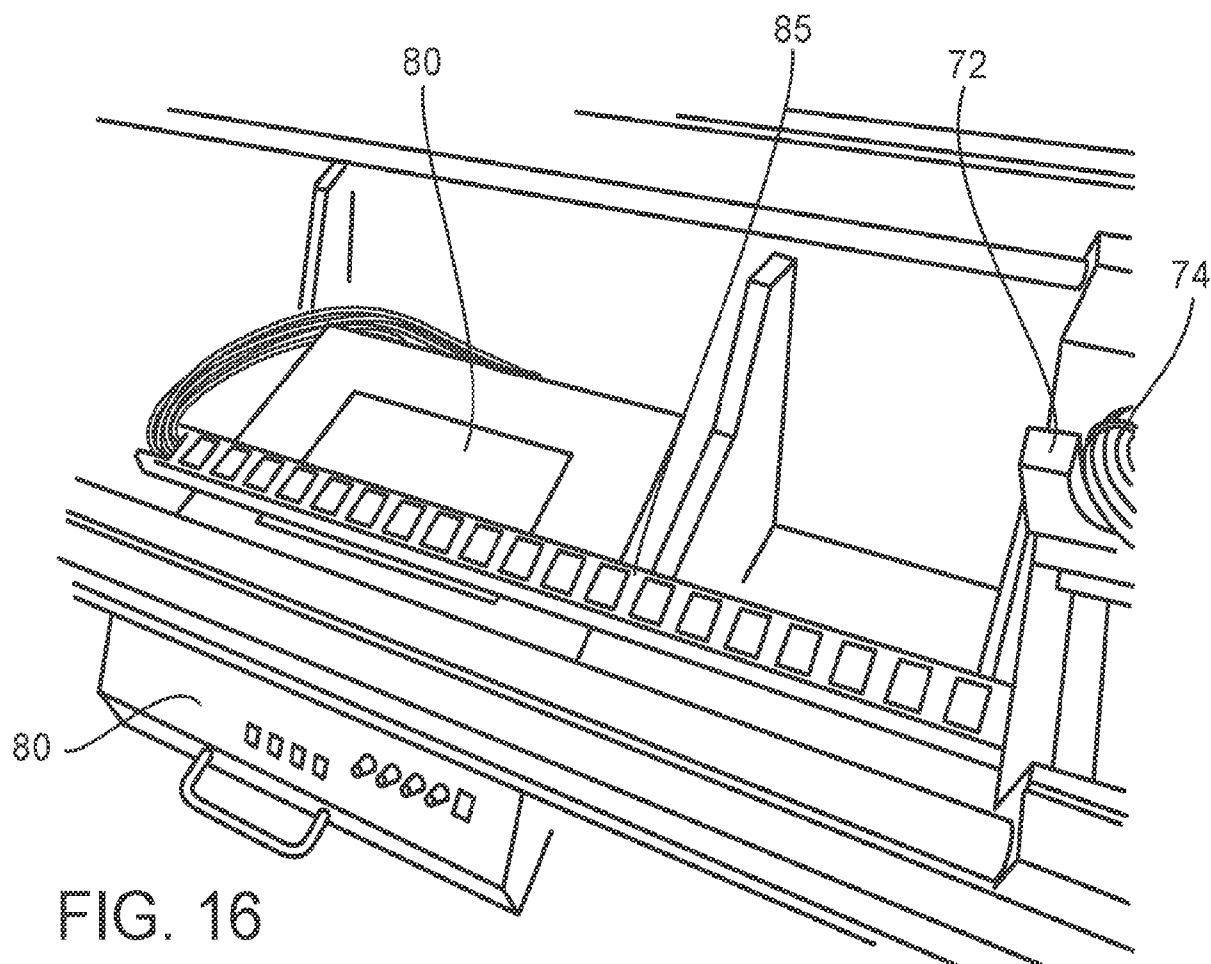


FIG. 16

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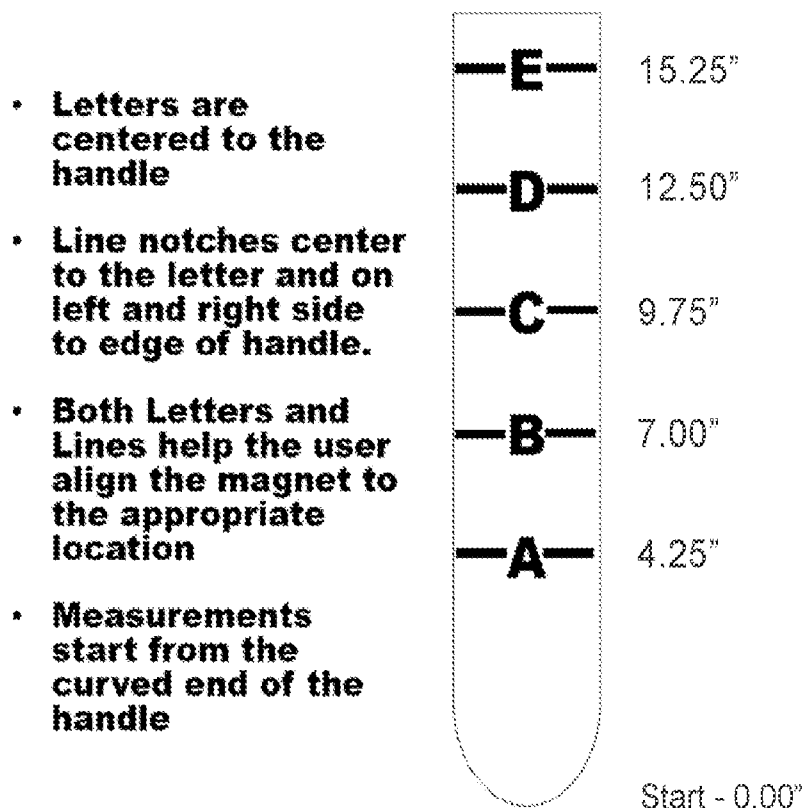


FIG. 17



- Font is Arial Black
- Arrow is the REACT logo "A" turned upside down
- Number line is 1 - 36
- Space between Arrows is 1.5 inches
- Number Font Size is TBD
- Strip is REACT Green with printed Black on top
- Strip is TBD x TBD

FIG. 18

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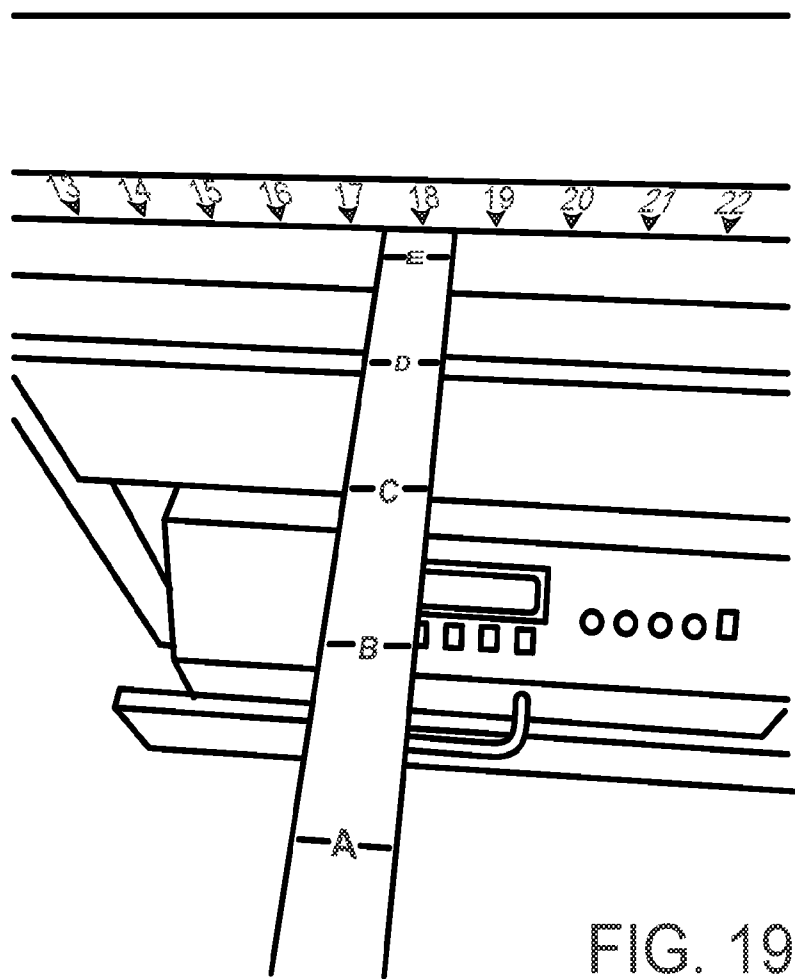


FIG. 19

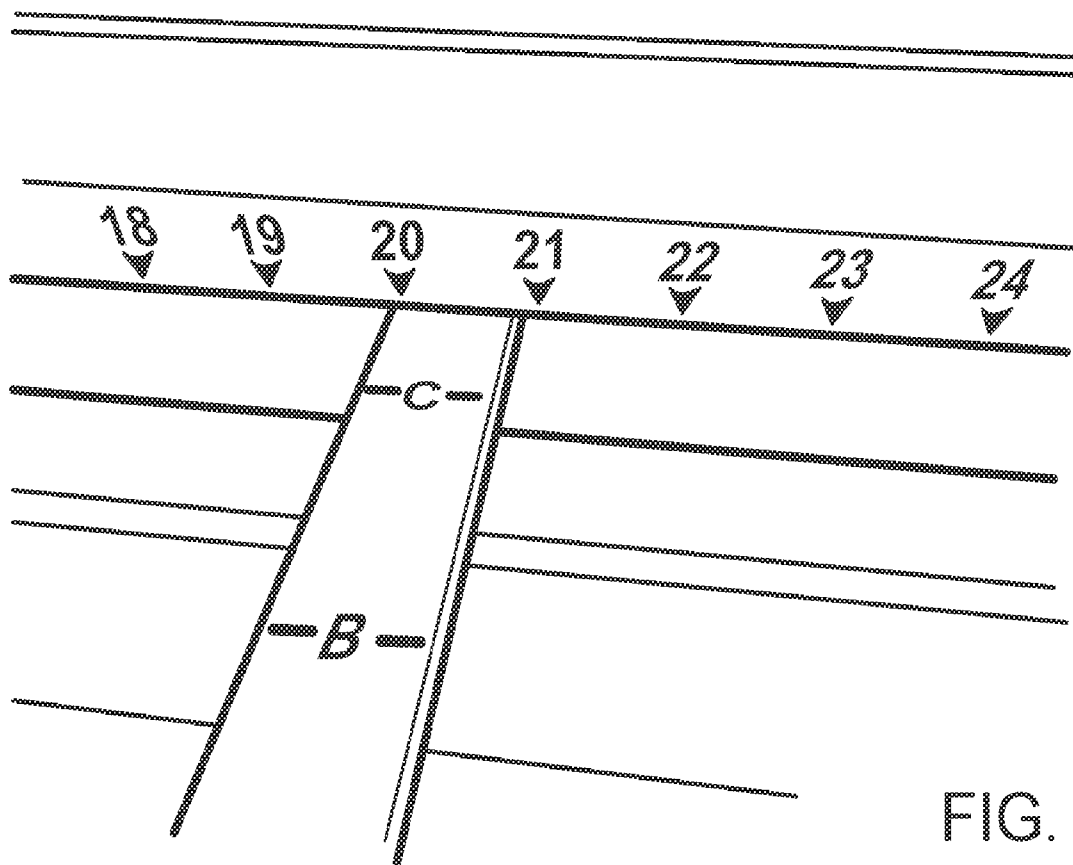


FIG. 20

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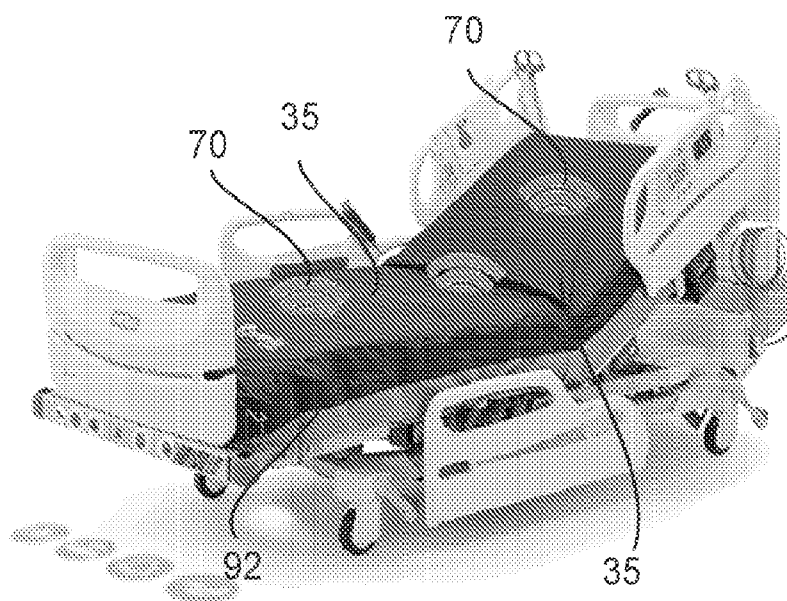


FIG. 21

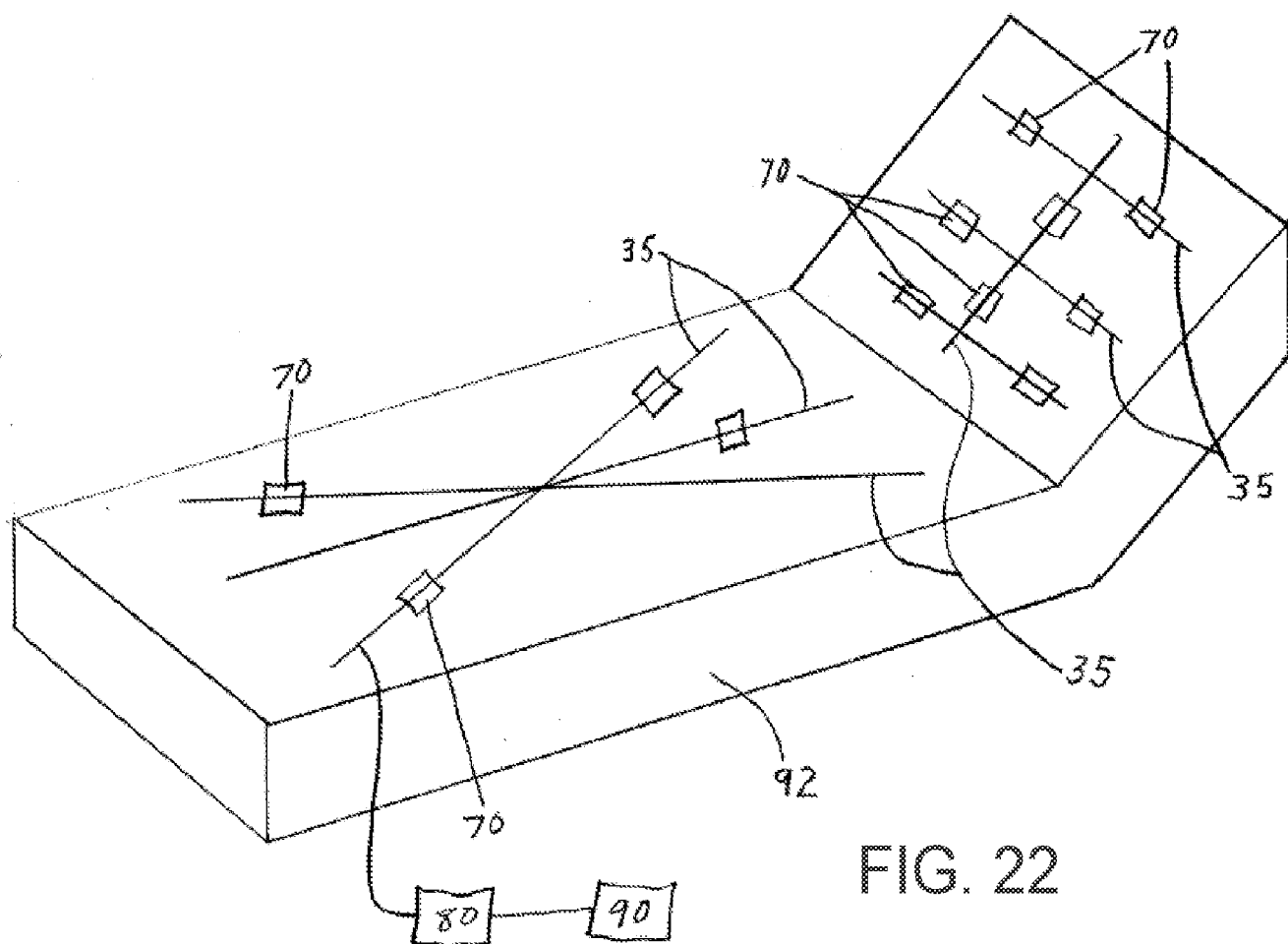


FIG. 22

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FIG. 23

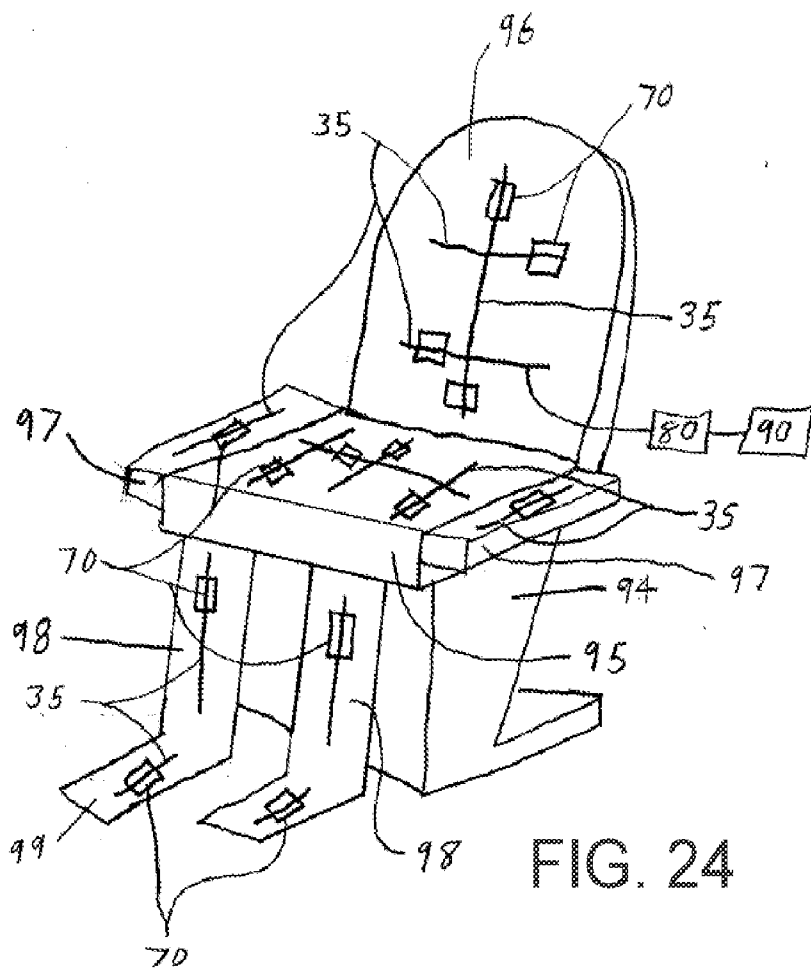


FIG. 24

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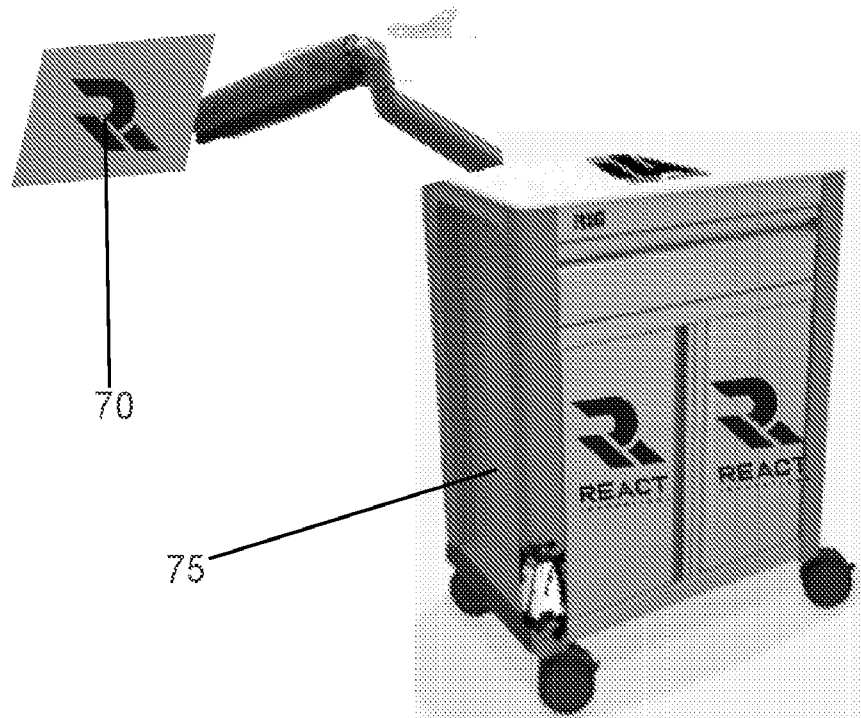


FIG. 25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	February 18, 2021
Kenneth Paulus	)	
	)	
Application No. 17/111/833	)	Confirmation No. 2229
	)	
Filing Date: December 4, 2020	)	Group Art Unit 3792
	)	
For: MAGNETIC NERVE STIMULATOR	)	

VIA EFS – February 18, 2020
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

REQUEST TO FILE REPLACEMENT SHEETS OF DRAWINGS

Replacement Sheets 1-12 of the drawings are enclosed in the above application.

The Commissioner is hereby authorized to charge any additional fees required to Deposit

Account No. 502790.

Respectfully submitted,

By: /Blake E. Vande Garde/
Blake E. Vande Garde, Reg. No. 58264
Erickson, Kernell, Derusseau
& Kleypas, LLC
8900 State Line Road, Suite 500
Leawood, Kansas 66206
United States
Phone: (913) 549-4700
Facsimile: (913)-549-4646

Docket 3120.2-1

Electronic Acknowledgement Receipt	
EFS ID:	41955710
Application Number:	
International Application Number:	PCT/US20/63271
Confirmation Number:	7629
Title of Invention:	MAGNETIC NERVE STIMULATOR
First Named Inventor/Applicant Name:	KENNETH PAULUS
Customer Number:	126354
Correspondence Address:	Erickson Kernell IP, LLC - 8900 State Line Rd, Suite 500 - Leawood KS 66206 US 913-549-4700 bvg@kcpatentlaw.com
Filer:	Blake Edward Van Garde/Debbie Denlinger
Filer Authorized By:	Blake Edward Van Garde
Attorney Docket Number:	3120.2-2(PCT)
Receipt Date:	18-FEB-2021
Filing Date:	04-DEC-2020
Time Stamp:	12:52:40
Application Type:	International Application (PCT) for filing in the US receiving office
Patent Number:	

Payment information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Substitute Drawings	Request_CorrectionofDefects_20210218.pdf	63548	no	1
			9e20c613348380e0ff3001567f3c2d7f8e69e ba8		
Warnings:					
Information:					
2	Substitute Drawings	Figures_Replacement_20210218.pdf	1253361	no	12
			c1018a67030b5ef0f22c4f910fc927dde220 6c63		
Warnings:					
Information:					
Total Files Size (in bytes):			1316909		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

IN THE UNITED STATES RECEIVING OFFICE
PATENT COOPERATION TREATY

In re PCT Application of	) February 18, 2021
Kenneth Paulus	)
	)
PCT No. PCT/US2020/063271	)
	)
Int'l Filing Date: 04 Dec 2020	) Authorized Officer: Felicia Lawrence
	)
For: MAGNETIC NERVE STIMULATOR	) Telephone: 571-272-3546

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: ISA/US

Sir:

REQUEST TO CORRECT
INTERNATIONAL APPLICATION

In response to the Invitation to Correct Defects dated 18 December, 2020

Replacement Sheets 1-12 are enclosed. These drawings show direct reproduction; are now shown in durable black color with uniform lines well defined, and contain numbers and letters of height great than 0.32 cm.

Respectfully submitted,

By: /Blake E. Vande Garde/
Blake E. Vande Garde, Reg. No. 58264
Erickson, Kernell, Derusseau
& Kleypas, LLC
8900 State Line Road, Suite 500
Leawood, Kansas 66206
United States
Phone: (913) 549-4700
Facsimile: (913) 549-4646

Docket 3120.2-2 (PCT)

From the INTERNATIONAL SEARCHING AUTHORITY

To: BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KS 66206

PCTNOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year)

MAR 12 2021

Applicant's or agent's file reference

3120.2-2(PCT)

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

PCT/US 20/63271

International filing date
(day/month/year)

04 December 2020 (04.12.2020)

Applicant PAULUS, KENNETH

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

How? Directly to the International Bureau preferably through ePCT, or on paper to:
The International Bureau of WIPO, 34, chemin des Colombettes, 1211 Geneva 20, Switzerland.

For more detailed instructions, see the *PCT Applicant's Guide*, International Phase, paragraphs 9.004 – 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to any protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.
 - ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 36 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices. In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Within 22 months from the priority date, the applicant may request that a supplementary international search be carried out by a different International Searching Authority that offers this service (Rule 45bis.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-8300

Authorized officer

Lee Young

Telephone No. PCT Helpdesk: 571-272-4300

From the INTERNATIONAL SEARCHING AUTHORITY

To: BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KS 66206

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing (day/month/year)		MAR 12 2021
Applicant's or agent's file reference 3120.2-2(PCT)		FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US 20/63271	International filing date (day/month/year) 04 December 2020 (04.12.2020)	
Applicant PAULUS, KENNETH		

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

How? Directly to the International Bureau preferably through ePCT, or on paper to:
The International Bureau of WIPO, 34, chemin des Colombettes, 1211 Geneva 20, Switzerland

For more detailed instructions, see the *PCT Applicant's Guide*, International Phase, paragraphs 9.004 -- 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to any protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices. In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Within 22 months from the priority date, the applicant may request that a supplementary international search be carried out by a different International Searching Authority that offers this service (Rule 45bis.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-8300	Authorized officer Lee Young Telephone No. PCT Helpdesk: 571-272-4300
---	--

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 3120 2-2(PCT)		FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US 20/63271	International filing date (day/month/year) 04 December 2020 (04.12.2020)	(Earliest) Priority Date (day/month/year) 04 December 2019 (04.12.2019)	
Applicant PAULUS, KENNETH			

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed.
☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. ☐ This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (see Box No. II).

3. ☐ Unity of invention is lacking (see Box No. III).

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 4
☐ as suggested by the applicant.
☒ as selected by this Authority, because the applicant failed to suggest a figure.
☐ as selected by this Authority, because this figure better characterizes the invention.
- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 20/63271

A. CLASSIFICATION OF SUBJECT MATTER

IPC - A61N 2/00; A61N 2/02 (2021.01)

CPC - A61N 2/006; A61N 2/02; A61N 2/12; A61N 2/*

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

See Search History document

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

See Search History document

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

See Search History document

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 2014/0330067 A1 (JORDAN) 06 November 2014 (06.11.2014), entire document, especially Figs 1-2, 4-5A; para [0007], [0011], [0030]-[0037], [0049]-[0051], [0172]-[0173], [0182], [0189]-[0202]; Table 1	1-20
Y	EP 3,479,872 A1 (Prof. Dr. Fischer AG) 08 May 2019 (08.05.2019), entire document, especially Figs 1-2, 5; page 3, in 81-92; page 4, in 558; page 8, in 311- page 9, in 335; page 13, in 539-541; in 694-697; page 15, in 593-617; page 15, in 625-page 16, in 629	1-20
Y	US 2015/0157873 A1 (SOKOLOWSKI) 11 June 2015 (11.06.2015), entire document, especially Fig 1; para [0050]	3, 10
Y	US 2017/0291037 A1 (TEIJIN PHARMA LIMITED) 12 October 2017 (12.10.2017), entire document, especially; Figs 1-2, 4, 18-20; para [0062]-[0064], [0116], [0121]	5, 12, 18
Y	US 2018/0104484 A1 (Orthofix Inc.) 19 April 2018 (19.04.2018), entire document, especially Fig 1; para [0023]-[0025]	7, 14, 20
A	US 5,984,854 A (Ishikawa et al.) 16 November 1999 (16.11.1999), entire document	1-20
A	WO 1991/015263 A1 (HOLCOMB MEDICAL CORPORATION) 17 October 1991 (17.10.1991), entire document	1-20
A	US 5,453,073 A (Markoff) 26 September 1995 (26.09.1995), entire document	1-20



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"D" document cited by the applicant in the international application

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"I"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&"

document member of the same patent family

Date of the actual completion of the international search

02 February 2021

Date of mailing of the international search report

MAR 12 2021

Name and mailing address of the ISA/US

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From the
INTERNATIONAL SEARCHING AUTHORITY

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

MAR 12 2021

Applicant's or agent's file reference
3120.2-2(PCT)

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US 20/63271

International filing date (day/month/year)

04 December 2020 (04.12.2020)

Priority date (day/month/year)

04 December 2019 (04.12.2019)

International Patent Classification (IPC) or both national classification and IPC

IPC - A61N 2/00; A61N 2/02 (2021.01)

CPC - A61N 2/006; A61N 2/02; A61N 2/12; A61N 2/*

Applicant **PAULUS, KENNETH**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

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Date of completion of this opinion

02 February 2021

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed.
- ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(b)).3. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing:a. ☐ forming part of the international application as filed:

- ☐ in the form of an Annex C/ST.25 text file.
- ☐ on paper or in the form of an image file.

b. ☐ furnished together with the international application under PCT Rule 13ter.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.c. ☐ furnished subsequent to the international filing date for the purposes of international search only:

- ☐ in the form of an Annex C/ST.25 text file (Rule 13ter.1(a)).
- ☐ on paper or in the form of an image file (Rule 13ter.1(b) and Administrative Instructions, Section 713).

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-20	YES
	Claims	None	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-20	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims	None	NO
2. Citations and explanations:			
Claims 1-2, 4, 6, 8-9, 11, 13, 15-17 and 19 lack an inventive step as per PCT Article 33(3) as being obvious over US 2014/0330067 A1 to JORDAN in view of EP 3,479,872 A1 to Prof. Dr. Fischer AG (hereinafter 'FISCHER'). As per claim 1, JORDAN discloses an apparatus for muscle stimulation (see Figs 4-5A; para [0189]-[0202] - see guide device illustrated in Fig 4 which can be placed below the chair 500) comprising: a platform with an upper surface and a lower surface (501, Fig 5A; para [0198]-[0202] - see seat 501 of chair 500 with an upper and lower surface); one or more pairs of cross rails mounted under the lower surface of the platform (401, 402, Fig 4; para [0189]-[0197]); a pair of sled rails (403, 404, Fig 4; para [0189]-[0197]); a bracket slidably mounted to each pair of sled rails (see Fig 4; para [0189]-[0197] - see magnetic core and coil assembly 101 and 102 which is mounted on the guide rails 403 and 404 wherein the magnetic assembly slides upon actuation and thereby the mounting can be done on the rails inherently using some form of a bracket); a magnetic nerve/muscle stimulator mounted to each bracket which includes one or more magnets and one or more electrical coils (101, 102, Fig 4; para [0012]-[0013], [0189]-[0197] - see ferromagnetic core 102 with copper wire 101 coiled around it); wherein the magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform (101, 102, Fig 4; 500, Fig 5A; para [0007], [0189]-[0202] - see magnetic coil 101 and 102 which when placed below the chair generate the magnetic field to target the nerves of the patient); one or more actuators operationally associated with each bracket (405, 406, Fig 4; para [0189]-[0197] - see actuators 405 and 406 which assist in moving the magnetic coil on the guide device); wherein the actuators move each bracket along the x-axis and y-axis beneath the platform along the cross rails and sled rails (405, 406, 408, 409, Fig 4; para [0189]-[0197] - see actuator 405 in moving the magnetic coil in 408 direction and actuator 406 in moving the magnetic coil in the orthogonal 409 direction); a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator (104, Fig 1; para [0011], [0030]-[0037], [0172]-[0173], [0182]); a CPU/processing computer operationally associated with the control panel and the actuators (para [0035]-[0037], [0109] - see control unit which can control the actuators to move the magnetic coil along the guide device and the control unit which itself can be automated based on set parameters from a patient card which is a computer readable storage medium inherently implying a CPU operationally associated with the control panel and the actuators); and one or more processors (para [0035]-[0037]), a computer readable memory (para [0035]-[0037], [0050]-[0051] - see patient card which is in a computer readable memory format), and a computer readable storage medium operatively associated with the CPU/processing computer (para [0035]-[0037], [0050]-[0051] - see patient card); and a treatment module which includes programming instructions to execute one or more treatment programs, supplying each coil with an amount of power for a duration at a frequency (see Table 1, page 7-8; para [0050]-[0051]), but fails to disclose one or more sleds slidably mounted to each pair of cross rails; a pair of sled rails mounted to each sled; a treatment module directing each bracket to specific coordinates beneath the platform. FISCHER discloses a similar apparatus (1, Fig 1; see translation document - page 13, in 539-541), wherein FISCHER further discloses one or more sleds slidably mounted to each pair of cross rails (7, 13, Fig 5; page 17; in 694-697; para [0077]); a pair of sled rails mounted to each sled (see FISCHER - 7, 13, Fig 5; page 17; in 694-697; para [0077], see JORDAN - 403, 404, Fig 4; para [0189]-[0197] - in the combined device of JORDAN and FISCHER, the sled 7 of FISCHER would be placed on guide rails 401 and 402 on which the sled rails 403 and 404 would be mounted); a treatment module directing each bracket to specific coordinates beneath the platform (page 8, in 311- page 9, in 335; para [0042]-[0043] - see the chip having programming instructions which includes the coordinates of the magnetic assembly from below a platform). JORDAN further discloses the guide device to move the magnetic apparatus can have different elements (para [0197]). JORDAN further discloses the controller having a treatment module which can be programmed with further instructions (para [0049]). Accordingly, it would have been obvious to a person having ordinary skill in the art to incorporate the sliding sled assembly and the treatment program taught by FISCHER in the guide device and controller of JORDAN to have efficient and stable actuation of the magnetic coil to the desired location of the patient. As per claim 2, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 1. JORDAN further discloses wherein the treatment module includes programs with programming instructions which are selected for each individual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations (para [0016], [0050]-[0051]; see Table 1, page 7-8 - see different patient parameters taken into account to determine the magnetic coil amperage).			
-Continued in Supplemental Box-			

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 16-20: Claims 16-20 improperly depend from Claim 1. In order to give life and meaning to the claim such that a reasonable opinion can be rendered, claims 16-20 have been interpreted to depend from claim 15.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

-*-Box V.2 - Citations and Explanations--*-

As per claim 4, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 1. FISCHER further discloses wherein the lower surface of the platform is recessed (see Figs 4-5; page 17, in 682-697 - see small longitudinal recess created on the lower surface of the platform which can be seen with the gap 29 as illustrated in Fig 4), but fails to disclose the magnetic nerve/muscle stimulator is located within the recessed area. FISCHER however discloses the magnetic nerve/muscle stimulator is located flush with the lower surface of the platform (see Figs 4-5; page 17, in 682-697 - see where the distance 29 can be 0). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have modified the size and shape of and further increase the size of the recess of the lower surface so that when the magnetic coil is flush with the lower surface, the entire coil assembly is secured within the recess to improve protection of the magnetic coil.

As per claim 6, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 1. JORDAN further discloses wherein the treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient (102, Fig 2; para [0036]-[0039] - see magnetic coil which can have a plurality of cores and individual coil around each core where the plurality of magnetic coils would inherently generate a cross pattern of magnetic field within a patient).

-*-Continued in next Supplemental Box--*-

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

-*-Supplemental Box - Box V.2 - Citations and Explanations.-*-

As per claim 8, JORDAN discloses a method for stimulating specific muscles and/or muscle groups comprising the steps of:
a. providing an apparatus for muscle stimulation comprising (see Figs 4-5A; para [0189]-[0202] - see guide device illustrated in Fig 4 which can be placed below the chair 500);

a platform with an upper surface and a lower surface (501, Fig 5A; para [0198]-[0202] - see seat 501 of chair 500 with an upper and lower surface);

one or more pairs of cross rails mounted under the lower surface of the platform (401, 402, Fig 4; para [0189]-[0197]);

a pair of sled rails (403, 404, Fig 4; para [0189]-[0197]);

a bracket slidably mounted to each pair of sled rails (see Fig 4; para [0189]-[0197] - see magnetic core and coil assembly 101 and 102 which is mounted on the guide rails 403 and 404 wherein the magnetic assembly slides upon actuation and thereby the mounting can be done on the rails inherently using some form of a bracket);

a magnetic nerve/muscle stimulator mounted to each bracket which includes one or more magnets and one or more electrical coils (101, 102, Fig 4; para [0012]-[0013], [0189]-[0197] - see ferromagnetic core 102 with copper wire 101 coiled around it);

wherein the magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform (101, 102, Fig 4; 500, Fig 5A; para [0007], [0189]-[0202] - see magnetic coil 101 and 102 which when placed below the chair generate the magnetic field to target the nerves of the patient);

one or more actuators operationally associated with each bracket (405, 406, Fig 4; para [0189]-[0197] - see actuators 405 and 406 which assist in moving the magnetic coil on the guide device);

wherein the actuators move each bracket along the x-axis and y-axis beneath the platform along the cross rails and sled rails (405, 406, 408, 409, Fig 4; para [0189]-[0197] - see actuator 405 in moving the magnetic coil in 408 direction and actuator 406 in moving the magnetic coil in the orthogonal 409 direction);

a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator (104, Fig 1; para [0011], [0030]-[0037], [0172]-[0173], [0182]);

a CPU/processing computer operationally associated with the control panel and the actuators (para [0035]-[0037], [0109] - see control unit which can control the actuators to move the magnetic coil along the guide device and the control unit which itself can be automated based on set parameters from a patient card which is a computer readable storage medium inherently implying a CPU operationally associated with the control panel and the actuators); and

one or more processors (para [0035]-[0037]), a computer readable memory (para [0035]-[0037], [0050]-[0051] - see patient card which is in a computer readable memory format), and a computer readable storage medium operatively associated with the CPU/processing computer (para [0035]-[0037], [0050]-[0051] - see patient card); and

a treatment module which includes programming instructions to execute one or more treatment programs, supplying each coil with an amount of power for a duration at a frequency (see Table 1, page 7-8; para [0050]-[0051]);

b. positioning a patient on the upper surface of the platform (500, Fig 5A; para [0198]-[0202] - see chair 500 with an upper and lower surface wherein the patient sits on the upper surface of the chair);

d. engaging the treatment module and selecting one or more treatment programs to treat the patient (see Table 1, page 7-8; para [0035]-[0037], [0050]-[0051]);

e. executing the one or more treatment programs to engage the control panel to supply power to the magnetic nerve/muscle stimulator and generate a magnetic field with the magnetic nerve/muscle stimulator (see Table 1, page 7-8; para [0035]-[0037], [0050]-[0051]);

f. directing the magnetic field into the anatomy of the patient positioned on the upper surface of the platform for a desired length of time (see Table 1, page 7-8; para [0035]-[0037], [0050]-[0051]), but fails to disclose the method comprising one or more sleds slidably mounted to each pair of cross rails; a pair of sled rails mounted to each sled; a treatment module directing each bracket to specific coordinates beneath the platform; c. moving and locating each bracket into a desired position under the platform and the patient using the CPU/processing computer; g. repeating steps (c), (d), (e) and (f) until the patient's treatment is complete. FISCHER discloses a similar apparatus (1, Fig 1; see translation document - page 13, in 539-541), wherein FISCHER further discloses one or more sleds slidably mounted to each pair of cross rails (7, 13, Fig 5; page 17; in 694-697; para [0077]); a pair of sled rails mounted to each sled (see FISCHER - 7, 13, Fig 5; page 17; in 694-697; para [0077], see JORDAN - 403, 404, Fig 4; para [0189]-[0197] - in the combined device of JORDAN and FISCHER, the sled 7 of FISCHER would be placed on guide rails 401 and 402 on which the sled rails 403 and 404 would be mounted); a treatment module directing each bracket to specific coordinates beneath the platform (page 8, in 311- page 9, in 335; para [0042]-[0043] - see the chip having programming instructions which includes the coordinates of the magnetic assembly from below a platform); c. moving and locating each bracket into a desired position under the platform and the patient using the CPU/processing computer (page 8, in 311- page 9, in 335; para [0042]-[0043] - see the chip having programming instructions which includes the coordinates of the magnetic assembly from below a platform); g. repeating steps (c), (d), (e) and (f) until the patient's treatment is complete (page 3, in 81-82; para [0009]). JORDAN further discloses the guide device to move the magnetic apparatus can have different elements (para [0197]). JORDAN further discloses the controller having a treatment module which can be programmed with further instructions (para [0049]). Accordingly, it would have been obvious to a person having ordinary skill in the art to incorporate the sliding sled assembly and the treatment program taught by FISCHER in the guide device and controller of JORDAN and their combined teachings as whole, effectively providing a method to have efficient and stable actuation of the magnetic coil to the desired location of the patient.

As per claim 9, JORDAN in view of FISCHER discloses the method of claim 8. JORDAN further discloses wherein the treatment module includes programs with programming instructions which are selected for each individual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations (para [0016], [0050]-[0051]; see Table 1, page 7-8 - see different patient parameters taken into account to determine the magnetic coil amperage).

-*-Continued in next Supplemental Box.-*-

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

•Supplemental Box - Box V.2 - Citations and Explanations-•

As per claim 11, JORDAN in view of FISCHER discloses the method of claim 8. FISCHER further discloses wherein the lower surface of the platform is recessed (see Figs 4-5; page 17, in 682-697 - see small longitudinal recess created on the lower surface of the platform which can be seen with the gap 29 as illustrated in Fig 4), but fails to disclose the magnetic nerve/muscle stimulator is located within the recessed area. FISCHER however discloses the magnetic nerve/muscle stimulator is located flush with the lower surface of the platform (see Figs 4-5; page 17, in 682-697 - see where the distance 29 can be 0). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have modified the size and shape of and further increase the size of the recess of the lower surface so that when the magnetic coil is flush with the lower surface, the entire coil assembly is secured within the recess to improve protection of the magnetic coil.

As per claim 13, JORDAN in view of FISCHER discloses the method of claim 8. JORDAN further discloses wherein the treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient (102, Fig 2; para [0038]-[0039] - see magnetic coil which can have a plurality of cores and individual coil around each core where the plurality of magnetic coils would inherently generate a cross pattern of magnetic field within a patient).

As per claim 15, JORDAN discloses an apparatus for muscle stimulation (see Figs 4-5A; para [0169]-[0202] - see guide device illustrated in Fig 4 which can be placed below the armchair 500) comprising:
a chair (500, Fig 5A; para [0201] - chair 500 can be an armchair) including:
a seat with an upper surface and a lower surface (501, Fig 5A; para [0198]-[0202] - see seat 501 of armchair 500 a with an upper and lower surface);
a back engaged to the seat, the back having an upper surface and a lower surface (500, Fig 5A; para [0196]-[0202] - see back of armchair 500 with an upper (front) and lower (back) surface);
one or more arm supports engaged to the seat, the arm supports having an upper surface and a lower surface (500, Fig 5A; para [0198]-[0202] - see armchair 500 which will inherently have arm supports with each arm support having an upper and lower surface);
one or more leg supports engaged to the seat, the leg supports having an upper surface and a lower surface (500, Fig 5A; para [0198]-[0202] - see armchair 500 wherein the legs connected to the seat upper surface attached to the seat and a lower surface touching the ground);
one or more pairs of cross rails mounted under the lower surface of the seat, back, arm supports, and/or leg supports (401, 402, Fig 4; para [0189]-[0197]);
a pair of sled rails (403, 404, Fig 4; para [0189]-[0197]);
a bracket slidably mounted to each pair of sled rails (see Fig 4; para [0189]-[0197] - see magnetic core and coil assembly 101 and 102 which is mounted on the guide rails 403 and 404 wherein the magnetic assembly slides upon actuation and thereby the mounting can be done on the rails inherently using some form of a bracket);
a magnetic nerve/muscle stimulator mounted to each bracket which includes one or more magnets and one or more electrical coils (101, 102, Fig 4; para [0012]-[0013], [0189]-[0197] - see ferromagnetic core 102 with copper wire 101 coiled around it);
wherein each magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the seat, back, arm supports, and/or leg supports (101, 102, Fig 4; 500, Fig 5A; para [0007], [0189]-[0202] - see magnetic coil 101 and 102 which when placed below the chair generate the magnetic field to target the nerves of the patient);
one or more actuators operationally associated with each bracket (405, 406, Fig 4; para [0189]-[0197] - see actuators 405 and 406 which assist in moving the magnetic coil on the guide device);
wherein the actuators move each bracket along the x-axis and y-axis beneath the chair along the cross rails and sled rails (405, 406, 408, 409, Fig 4; para [0189]-[0197] - see actuator 405 in moving the magnetic coil in 408 direction and actuator 406 in moving the magnetic coil in the orthogonal 409 direction);
a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator (104, Fig 1; para [0011], [0030]-[0037], [0172]-[0173], [0182]);
a CPU/processing computer operationally associated with the control panel and the actuators (para [0035]-[0037], [0109] - see control unit which can control the actuators to move the magnetic coil along the guide device and the control unit which itself can be automated based on set parameters from a patient card which is a computer readable storage medium inherently implying a CPU operationally associated with the control panel and the actuators); and
one or more processors (para [0035]-[0037]), a computer readable memory (para [0035]-[0037], [0050]-[0051] - see patient card which is in a computer readable memory format); and a computer readable storage medium operatively associated with the CPU/processing computer (para [0035]-[0037], [0050]-[0051] - see patient card); and
a treatment module which includes programming instructions to execute one or more treatment programs, supplying each coil with an amount of power for a duration at a frequency (see Table 1, page 7-8; para [0050]-[0051]), but fails to disclose one or more sleds slidably mounted to each pair of cross rails; a pair of sled rails mounted to each sled; a treatment module directing each bracket to specific coordinates beneath the chair elements. FISCHER discloses a similar apparatus (1, Fig 1; see translation document - page 13, in 539-541), wherein FISCHER further discloses one or more sleds slidably mounted to each pair of cross rails (7, 13, Fig 5; page 17; in 694-697; para [0077]); a pair of sled rails mounted to each sled (see FISCHER - 7, 13, Fig 5; page 17; in 694-697; para [0077], see JORDAN - 403, 404, Fig 4; para [0189]-[0197] - in the combined device of JORDAN and FISCHER, the sled 7 of FISCHER would be placed on guide rails 401 and 402 on which the sled rails 403 and 404 would be mounted); a treatment module directing each bracket to specific coordinates beneath the chair elements (2, Fig 1; page 8, in 311 - page 9, in 335; page 4, in 558; para [0042]-[0043], [0055] - see the chip having programming instructions which includes the coordinates of the magnetic assembly from below a platform which can be folded in a chair). JORDAN further discloses the guide device to move the magnetic apparatus can have different elements (para [0197]). JORDAN further discloses the controller having a treatment module which can be programmed with further instructions (para [0049]). Accordingly, it would have been obvious to a person having ordinary skill in the art to incorporate the sliding sled assembly and the treatment program taught by FISCHER in the guide device and controller of JORDAN to have efficient and stable actuation of the magnetic coil to the desired location of the patient.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

-*-Supplemental Box - Box V.2 - Citations and Explanations-*

As per claim 16, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 15. JORDAN further discloses wherein the treatment module includes programs with programming instructions which are selected for each individual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations (para [0016],[0050]-[0051]; see Table 1, page 7-8 - see different patient parameters taken into account to determine the magnetic coil amperage). (Note: See Box VIII)

As per claim 17, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 15. FISCHER further discloses wherein the lower surface of the chair is recessed (see Figs 4-5,9; page 17, in 682-697 - see small longitudinal recess created on the lower surface of the platform which can be seen with the gap 29 as illustrated in Fig 4 wherein the lower surface can be a seat of the chair as further illustrated in Fig 9), but fails to disclose the magnetic nerve/muscle stimulator is located within the recessed area. FISCHER however discloses the magnetic nerve/muscle stimulator is located flush with the lower surface of the platform (see Figs 4-5; page 17, in 682-697 - see where the distance 29 can be 0). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have modified the size and shape of and further increase the size of the recess of the lower surface so that when the magnetic coil is flush with the lower surface, the entire coil assembly is secured within the recess to improve protection of the magnetic coil. (Note: See Box VIII)

As per claim 19, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 15. JORDAN further discloses wherein the treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient (102, Fig 2; para [0038]-[0039] - see magnetic coil which can have a plurality of cores and individual coil around each core where the plurality of magnetic coils would inherently generate a cross pattern of magnetic field within a patient). (Note: See Box VIII)

Claims 3 and 10 lack an inventive step as per PCT Article 33(3) as being obvious over JORDAN in view of FISCHER and further in view of US 2015/0157873 A1 to SOKOLOWSKI.

As per claim 3, JORDAN in view of FISCHER discloses the apparatus for muscle stimulation of claim 1, but fail to disclose further including one or more cord cradles, wherein wires for the electrical coils are routed through the cord cradle to manage and protect the wires while the bracket is moved. SOKOLOWSKI discloses a similar apparatus (see Fig 1; para [0050]), further including one or more cord cradles (12, Fig 1; para [0050] - see shielded cable 12 which has wires connecting to coil 3 to pulse generator 11), wherein wires for the electrical coils are routed through the cord cradle to manage and protect the wires while the bracket is moved (12, Fig 1; para [0050] - see shielded cable 12 which has wires connecting to coil 3 to pulse generator 11 which would protect the wires when the coil is actuated). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have incorporated the shielded cable taught by SOKOLOWSKI in the combined device of JORDAN and FISCHER to have improved protection to the electrical wires of the magnetic coil assembly to have efficient delivery of the magnetotherapy to the patient.

As per claim 10, JORDAN in view of FISCHER discloses the method of claim 8, but fails to disclose further including one or more cord cradles, wherein wires for the electrical coils are routed through the cord cradle to manage and protect the wires while the bracket is moved. SOKOLOWSKI discloses a similar apparatus (see Fig 1; para [0050]), further including one or more cord cradles (12, Fig 1; para [0050] - see shielded cable 12 which has wires connecting to coil 3 to pulse generator 11), wherein wires for the electrical coils are routed through the cord cradle to manage and protect the wires while the bracket is moved (12, Fig 1; para [0050] - see shielded cable 12 which has wires connecting to coil 3 to pulse generator 11 which would protect the wires when the coil is actuated). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have incorporated the shielded cable taught by SOKOLOWSKI in the combined device of JORDAN and FISCHER to have improved protection to the electrical wires of the magnetic coil assembly to have efficient delivery of the magnetotherapy to the patient.

Claims 5, 12 and 18 lack an inventive step as per PCT Article 33(3) as being obvious over JORDAN in view of FISCHER and further in view of US 2017/0291037 A1 to TEIJIN PHARMA LIMITED (hereinafter 'TEIJIN').

As per claim 5, JORDAN in view of FISCHER disclose the apparatus for muscle stimulation of claim 4, further comprising: a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer (see FISCHER - 58, 57, Fig 2; page 15, in 593-601; para [0062]); wherein the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators to carry out one or more treatment programs (see FISCHER - 58, 57, 56, Fig 2; page 15, in 593-617; para [0062]-[0064] - see sensor 58 which would determine position and communicate via feedback line 64 to carry out the programmed treatment), but fail to disclose an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient. TEIJIN discloses a similar apparatus (10, Fig 1-2, 4; para [0062]-[0064] - see system 10), comprising an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient (601, Figs 18-20; para [0118],[0121]). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to person having ordinary skill in the art to incorporate the pressure sensor taught by TEIJIN in the combined apparatus of JORDAN and FISCHER to have accurate monitoring of the patient on the treatment apparatus prior to delivering the magnetotherapy.

-*-Continued in next Supplemental Box-*

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US 20/63271

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

^ - Supplemental Box - Box V.2 - Citations and Explanations - ^ -

As per claim 12, JORDAN in view of FISCHER disclose the method of claim 8 further comprising:
a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer (see FISCHER - 58, 57, Fig 2; page 15, in 593-601; para [0062]);
wherein the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators to carry out one or more treatment programs (see FISCHER - 58, 57, 56, Fig 2; page 15, in 593-617; para [0062]-[0064] - see sensor 58 which would determine position and communicate via feedback line 64 to carry out the programmed treatment), but fail to disclose an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient. TEIJIN discloses a similar apparatus (10, Fig 1-2, 4; para [0062]-[0064] - see system 10), comprising an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient (801, Figs 18-20; para [0118], [0121]). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to person having ordinary skill in the art to incorporate the pressure sensor taught by TEIJIN in the combined apparatus of JORDAN and FISCHER to have accurate monitoring of the patient on the treatment apparatus prior to delivering the magnetotherapy.

As per claim 16, JORDAN in view of FISCHER disclose the apparatus for muscle stimulation of claim 15, further comprising:
a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer (see FISCHER - 58, 57, Fig 2; page 15, in 593-601; para [0062]);
wherein the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators to carry out one or more treatment programs (see FISCHER - 58, 57, 56, Fig 2; page 15, in 593-617; para [0062]-[0064] - see sensor 58 which would determine position and communicate via feedback line 64 to carry out the programmed treatment), but fail to disclose an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient. TEIJIN discloses a similar apparatus (10, Fig 1-2, 4; para [0062]-[0064] - see system 10), comprising an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient (801, Figs 18-20; para [0118], [0121]). JORDAN further discloses the guide device can have different elements (para [0197]). Accordingly, it would have been obvious to person having ordinary skill in the art to incorporate the pressure sensor taught by TEIJIN in the combined apparatus of JORDAN and FISCHER to have accurate monitoring of the patient on the treatment apparatus prior to delivering the magnetotherapy.
(Note: See Box VIII)

Claims 7, 14 and 20 lack an inventive step as per PCT Article 33(3) as being obvious over JORDAN in view of FISCHER and further in view of US 2016/0104484 A1 to Orthoflix Inc. (hereinafter ORTHOFLIX).

As per claim 7, JORDAN in view of FISCHER disclose the apparatus for muscle stimulation of claim 1, but fail to disclose wherein a single operator can control two or more apparatuses from a single CPU/processing computer. ORTHOFLIX discloses a similar apparatus (102, Fig 1; para [0023]-[0024] - see multiple devices 102 which delivery magnetic therapy), wherein a single operator can control two or more apparatuses from a single CPU/processing computer (104, Fig 1; para [0023]-[0025]). FISCHER further discloses that the computer can communicate with the device via a wireless network (page 15, in 625-page 16, in 629; para [0066]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have incorporated the wireless network architecture taught by ORTHOFLIX in the combined apparatus of JORDAN in view of FISCHER wherein multiple systems can be controlled by a single computer to have effective treatments being delivered to multiple patients usually in a hospital setting.

As per claim 14, JORDAN in view of FISCHER disclose the method of claim 8, but fail to disclose wherein a single operator can control two or more apparatuses from a single CPU/processing computer. ORTHOFLIX discloses a similar apparatus (102, Fig 1; para [0023]-[0024] - see multiple devices 102 which delivery magnetic therapy), wherein a single operator can control two or more apparatuses from a single CPU/processing computer (104, Fig 1; para [0023]-[0025]). FISCHER further discloses that the computer can communicate with the device via a wireless network (page 15, in 625-page 16, in 629; para [0066]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have incorporated the wireless network architecture taught by ORTHOFLIX in the combined apparatus of JORDAN in view of FISCHER wherein multiple systems can be controlled by a single computer to have effective treatments being delivered to multiple patients usually in a hospital setting.

As per claim 20, JORDAN in view of FISCHER disclose the apparatus for muscle stimulation of claim 16, but fail to disclose wherein a single operator can control two or more apparatuses from a single CPU/processing computer. ORTHOFLIX discloses a similar apparatus (102, Fig 1; para [0023]-[0024] - see multiple devices 102 which delivery magnetic therapy), wherein a single operator can control two or more apparatuses from a single CPU/processing computer (104, Fig 1; para [0023]-[0025]). FISCHER further discloses that the computer can communicate with the device via a wireless network (page 15, in 625-page 16, in 629; para [0066]). Accordingly, it would have been obvious to a person having ordinary skill in the art to have incorporated the wireless network architecture taught by ORTHOFLIX in the combined apparatus of JORDAN in view of FISCHER wherein multiple systems can be controlled by a single computer to have effective treatments being delivered to multiple patients usually in a hospital setting. (Note: See Box VIII)

Claims 1-20 have industrial applicability as per PCT Article 33(4) as the subject matter can be made or used in industry.

Application Number	PCT/US 20/63271
Search Conducted By	VBS
Search Approved By	AD

CPC/IPC Classifications Searched	CPC - A61N 2/006; A61N 2/02; A61N 2/12; A61N 2/* IPC(8) - A61N 2/00; A61N 2/02 (2021.01)
Date Conducted	02 February 2021 (02.02.2021)

Documentation Searched	CPC - A61N 2/006; A61N 2/02; A61N 2/12; A61N 2/* IPC(8) - A61N 2/00; A61N 2/02 (2021.01)
Search Terms Used	extracorporeal magnetic innervation, rail, platform, bed, chair, bracket, sled, control, computer, program, stage, x-axis, y-axis, x-y, xy, cartesian, coil, cradle, cable, wire, insulate, manage, sleeve, organize, optic, light, pressure, sensor, scanner, detect, pad, identify, patient, subject, recess, contour, lower, bottom, surface, network
Date Conducted	02 February 2021 (02.02.2021)

Electronic Database Searched	PatBase
Files Searched	Full-text: AU BE BR CA CH CN DE DK EP ES FI FR GB IN JP KR SE TH TW US WO Bibliographic: (Europe) AT BA BE BG CH CS CY CZ DD DK EE ES FI GE GR HR HU IE IS IT LT LU LV MC MD MT NL NO PL PT RO RS SE SI SK SM TR UA YU (Asia) EA GC HK ID IL IN KZ MN MY PH RU SG SU TH TJ TW UZ VN (North America) CA CR CU DO GT HN MX NI PA SV TT (South America) AR BR CL CO EC PE UY (Australasia) AU NZ (Africa) AP DZ EG KE MA MW OA ZA ZM ZW
Date Conducted	02 February 2021 (02.02.2021)

Search Logic:

Search 1: cpc = (A61N2/006) (Results 1138)
Search 2: 1 and ft = (extracorporeal magnetic innervation) (Results 7)
Search 3: PN = (US2014330067) (Results 1)

Search 4: cta 3 (Results 17)
 Search 5: PN = (EP3479872 or DE102017000876) (Results 2)
 Search 6: cta 5 (Results 16)
 Search 7: 1 and ft = (rail* w/8 (platform or bed or chair)) (Results 5)
 Search 8: PN = (US2017296838 or US2017291037 or US5984854) (Results 3)
 Search 9: cta 8 (Results 138)
 Search 10: 9 and ft = (bed or platform or chair) (Results 51)
 Search 11: 10 and ft = (bracket* or sled*) w/8 (rail*) (Results 1)
 Search 12: 10 and ft = (rail*) (Results 10)
 Search 13: 1 and ft = (control* or computer) w/8 (program*) (Results 430)
 Search 14: 13 and ft = (stage or platform) w/8 (x-axis or y-axis or x-y or xy or cartesian*) (Results 5)
 Search 15: 1 and ft = (control* or computer) w/8 (rail* w/8 (platform or bed or chair)) (Results 0)
 Search 16: 1 and ft = (magnet* w/8 coil) (Results 601)
 Search 17: 16 and ft = (control* or computer) w/8 (program*) (Results 244)
 Search 18: 17 and ft = (rail*) (Results 9)
 Search 19: 4 and ft = (actuat*) (Results 6)
 Search 20: CPC=(A61N2/02) (Results 2725)
 Search 21: CPC=(A61N2/12) (Results 396)
 Search 22: 20 or 21 (Results 3068)
 Search 23: 1 and 22 (Results 827)
 Search 23: 20 and 21 (Results 53)
 Search 24: 1 and 23 (Results 12)
 Search 25: 22 and ft = (rail* w/8 (platform or bed or chair)) (Results 16)
 Search 26: 1 and ft = (bracket) (Results 33)
 Search 27: 22 and ft = (bracket w/8 rail*) (Results 2)
 Search 28: 22 and ft = (bracket) (Results 96)
 Search 29: 21 and ft = (bracket) (Results 18)
 Search 30: 21 and ft = (slid* w/8 (rail* or bracket*)) (Results 10)
 Search 31: 21 and ft = (stage or platform) w/8 (x-axis or y-axis or x-y or xy or cartesian*) (Results 2)
 Search 32: 21 and ft = (x-axis or y-axis or x-y or xy or cartesian*) (Results 20)
 Search 33: 1 and ft = (x-axis or y-axis or x-y or xy or cartesian*) (Results 197)
 Search 34: 1 and ft = (coil w/8 cradle) (Results 4)
 Search 35: cpc = (A612/*) (Results 0)
 Search 35: CPC = (A61N2/*) (Results 7933)
 Search 36: 35 and ft = (comput* or control* w/8 (actuat* or position*)) (Results 1671)
 Search 36: 35 and ft = (comput* or control*) w/8 (actuat* or position*) (Results 570)
 Search 37: 36 and ft = (cpu or processor) (Results 219)
 Search 38: 37 and ft = (slid* w/8 (rail* or bracket*)) (Results 3)
 Search 39: 35 and ft = (program*) w/8 (actuat* or position*) (Results 62)
 Search 40: 35 and ft = (coil w/8 cradle) (Results 6)
 Search 41: 35 and ft = (coil or cable or wire) w/8 (insulat* or manag* or sleeve* or cradle or organiz*) (Results 452)
 Search 42: 1 and ft = (coil or cable or wire) w/8 (insulat* or manag* or sleeve* or cradle or organiz*) (Results 176)
 Search 43: 41 and 42 (Results 176)
 Search 43: 1 and ft = (coil or cable or wire) w/8 (manag* or sleeve* or cradle or organiz*)

(Results 30)

Search 44: 35 and ft = (coil or cable or wire) w/8 (manag* or sleeve* or cradle or organiz*)

(Results 75)

Search 45: 35 and ft = (pressure pad) (Results 6)

Search 46: 35 and ft = (optical scanner) (Results 16)

Search 47: 35 and ft = ((optic* or light or pressure) w/8 (sensor or scanner or detect* or pad*)) w/8 (detect* or identify* w/8 (patient or subject)) (Results 300)

Search 48: 35 and ft = (((optic* or light or pressure) w/8 (sensor or scanner or detect* or pad*)) w/8 (detect* or identify* w/8 (patient or subject))) (Results 300)

Search 48: 47 and ft = (slid* w/8 (rail* or bracket*)) (Results 1)

Search 49: 47 and ft = (comput* or control*) w/8 (actuat* or position*) (Results 105)

Search 50: 49 and ft = (rail* w/8 (platform or bed or chair)) (Results 1)

Search 51: 35 and ft = ((pressure) w/8 (sensor or scanner or detect* or pad*)) w/8 (detect* or identify* w/8 (patient or subject)) (Results 136)

Search 52: 51 and ft = (bed or platform or chair) (Results 71)

Search 53: 35 and ft = (recess*) w/8 (bed or platform or chair) (Results 9)

Search 54: 35 and ft = (recess* or contour*) w/8 (lower or bottom w/8 (surface)) (Results 45)

Search 55: 35 and ft = ((control* or comput*) w/8 ((plurality or multiple) w/8 (apparatus or system or machine or stimulator or device))) (Results 202)

Search 56: 55 and ft = (bed or platform or chair) (Results 85)

Search 57: 56 and ft = (network) (Results 59)

Search 58: 1 and ft = (coil w/8 cable) (Results 64)

Search 59: 58 and ft = (bed or platform or chair) (Results 26)

Search 60: ft = (extracorporeal magnetic innervation) (Results 10)

Search 61: ft = (magnet* or electromagnet*) w/8 (stimulat*) (Results 16317)

Search 62: 61 and ft = (slid* w/8 (rail* or bracket*)) (Results 129)

Search 63: 62 and ft = (comput* or control*) w/8 (actuat* or position*) (Results 50)

Search 64: 63 and ft = (bed or platform or chair) (Results 24)

Search 65: PN = (EP3656442) (Results 1)

Search 66: cta 65 (Results 13)

Search 67: ipc = (A61N2/00 or A61N2/02) (Results 18483)

Search 68: 67 and ft = (extracorporeal magnetic innervation) (Results 4)

Search 69: 67 and ft = (slid* w/8 (rail* or bracket*)) (Results 72)

Search 70: 69 and ft = (comput* or control*) w/8 (actuat* or position*) (Results 13)

Electronic Database Searched	Google
Files Searched	Web search
Date Conducted	02 February 2021 (02.02.2021)
Search Logic:	
cable management cradle - About 9,350,000 results	
extracorporeal magnetic innervation - About 290,000 results	
functional electrical stimulation - About 44,100,000 results	

Electronic Database Searched	Google
Files Searched	Patents (US Patents/Published Applications, EPO publications, International, China, Germany, Canada)
Date Conducted	02 February 2021 (02.02.2021)
Search Logic: extracorporeal magnetic innervation - About 1,084 results magnetic nerve stimulator - About 141,287 results	

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

PCT

INVITATION TO CORRECT PRIORITY CLAIM
AND/OR NOTIFICATION OF POSSIBILITY
TO REQUEST RESTORATION OF
THE RIGHT OF PRIORITY

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b), 26bis.3)

Date of mailing (day/month/year)		08 Apr 2021
Applicant's or agent's file reference 3120.2-2(PCT)		REPLY DUE See items 1 and 2
International application No. PCT/US2020/063271	International filing date (day/month/year) 18 Feb 2021	Priority date (day/month/year) 04 Dec 2020
Applicant PAULUS, KENNETH		

1. ☒ The applicant is hereby invited to correct, by a notice submitted to the receiving Office, within the time limit indicated below, defects in the priority claim as indicated in Annex A.

Time limit to respond to this Invitation (Rule 26bis.1(a)):

- within 16 months from the (earliest) priority date; or
 - if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,
- whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

Failure to respond to this Invitation within the prescribed time limit may result in the priority claim concerned to be considered void for the purposes of the procedure under the PCT (Rule 26bis.2(b)).

2. ☐ The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. The applicant is hereby notified of the possibility of submitting to the receiving Office, within the time limit indicated below, a request to restore the right of priority as indicated in Annex B.

Time limit to request the restoration of the right of priority (Rule 26bis.3(e)):

- within two months from the date on which the priority period expired.

3. ☐ In the case where multiple priorities have been claimed, this notice relates to the following priority claim:

A copy of this Invitation/Notification is being sent to the International Bureau.

Name and mailing address of the receiving Office Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. 571-273-8300	Authorized officer Jeremy Fleming Telephone No. 571-272-3284
---	--

ANNEX A TO FORM PCT/RO/110

International application No.

PCT/US2020/063271

This receiving Office has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

- a. ☒ **National application**
- ☐ Missing indication of the filing date of the earlier application.
 - ☒ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.¹
 - ☐ Missing indication of the number of the earlier application.²
 - ☐ Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
 - ☐ The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.
- b. ☐ **Regional application**
- ☐ Missing indication of the filing date of the earlier application.
 - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.¹
 - ☐ Missing indication of the number of the earlier application.²
 - ☐ Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
 - ☐ The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
 - ☐ The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.
- c. ☐ **International application**
- ☐ Missing indication of the filing date of the earlier application.
 - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
 - ☐ Missing indication of the number of the earlier application.²
 - ☐ Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document²

- a. ☐ Inconsistency with regard to the filing date of the earlier application:
- The request indicates:
- The priority document indicates:
- b. ☐ Inconsistency with regard to the number of the earlier application:
- The request indicates:
- The priority document indicates:
- c. ☐ Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the national application was filed:
- The request indicates:
- The priority document indicates:
- d. ☐ Inconsistency with regard to the authority entrusted with the granting of regional patents under the applicable regional patent treaty:
- The request indicates:
- The priority document indicates:
- e. ☐ Inconsistency with regard to the receiving Office with which the international application was filed:
- The request indicates:
- The priority document indicates:

¹ If the international filing date is later than the date on which the priority period expired, but is within two months from that date, the priority claim will not be considered void (Rule 26bis.2(c)(iii)).

² Even if this defect is not corrected in response to this invitation, the priority claim concerned will not be considered void (Rule 26bis.2(c)(i) and (ii)).

ANNEX B TO FORM PCT/RO/110

International application No.

PCT/US2020/063271

NOTIFICATION OF POSSIBILITY TO REQUEST RESTORATION OF THE RIGHT OF PRIORITY

(Rule 26bis.3)

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. If the filing date of the earlier application has been indicated correctly and no request for correction of that filing date is submitted under Rule 26bis.1(a), the applicant may submit to the receiving Office, within the time limit indicated below, a request to restore the right of priority.

REQUEST TO RESTORE THE RIGHT OF PRIORITY

The request to restore the right of priority must be filed within two months from the date on which the priority period expired provided that, where the applicant makes a request for early publication under Article 21(2)(b), the request must be submitted before technical preparations for international publication have been completed (Rule 26bis.3(e)).

The request to restore the right of priority must state the reasons for the failure to file the international application within the priority period. This receiving Office will restore the right of priority if it finds that the following criterion or one of the following criteria for restoration is satisfied, namely that the failure to file the international application within the priority period:

☐ occurred in spite of due care required by the circumstances having been taken

and/or

☒ was unintentional

☐ This receiving Office may invite the applicant to furnish a declaration or other evidence in support of the statement of reasons (Rule 26bis.3(f)). Preferably, such declaration or other evidence should already be furnished together with the request for restoration of the right of priority.

FEE PAYMENT

☒ The submission of the request to restore the right of priority is subject to the payment of a fee, payable within two months¹ from the date on which the priority period expired, in the amount of:

☐ (amount/currency) for restoration based on the criterion of due care;

or

☒ See 37 CFR 1.17(m) (amount/currency) for restoration based on the criterion of unintentional.

☐ No fee payment is required.

¹ The receiving Office may extend the time limit for payment of the fee for a period of up to two months from the expiration of this time limit.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

NOTIFICATION OF THE INTERNATIONAL
APPLICATION NUMBER AND OF THE
INTERNATIONAL FILING DATE

(PCT Rule 20.2(c))

Confirmation No: 7629

Date of mailing
(day/month/year)

08 Apr 2021

Applicant's or agent's file reference

3120.2-2(PCT)

IMPORTANT NOTIFICATION

International application No.

PCT/US2020/063271

International filing date (day/month/year)

18 Feb 2021

Priority date (day/month/year)

04 Dec 2020

Applicant

PAULUS, KENNETH

Title of the invention MAGNETIC NERVE STIMULATOR

1. The applicant is hereby notified that the international application has been accorded the international application number and the international filing date indicated above.

2. The applicant is further notified that the record copy of the international application:



was transmitted to the International Bureau on

18 Dec 2020



has not yet been transmitted to the International Bureau for the reason indicated below and a copy of this notification has been sent to the International Bureau*:



because the necessary national security clearance has not yet been obtained.



because (reason to be specified):

* The International Bureau monitors the transmittal of the record copy by the receiving Office and will notify the applicant (with Form PCT/IB/301) of its receipt. Should the record copy not have been received by the expiration of 14 months from the priority date, the International Bureau will notify the applicant (Rule 22.1(c)).

3. FOREIGN TRANSMITTAL LICENSE INFORMATION

Completed by: JF



Additional license for foreign transmittal not required. This subject matter is covered by a license already granted or the equivalent U.S. national application. Refer to that license for information concerning its scope.



License for foreign transmittal not required. 37 CFR 5.11(e)(1) or 37 CFR 5.11(e)(2). However, a license may be required for additional subject matter. See 37 CFR 5.15(b).

Foreign transmittal license granted. 35 U.S.C. 184; 37 CFR 5.11 on 17 Dec 2020
(date)

37 CFR 5.15(a)



37 CFR 5.15(b)

Name and mailing address of the receiving Office

Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Facsimile No. 571-273-8300

Authorized officer

Jeremy Fleming

Telephone No. 571-272-3284



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
17/111,833	12/04/2020	Kenneth Paulus	3120.2-1

CONFIRMATION NO. 2229

126354

Erickson Kernell IP, LLC
 8900 State Line Rd, Suite 500
 Leawood, KS 66206

PUBLICATION NOTICE

OC000000126216167*

Title:MAGNETIC NERVE STIMULATOR**Publication No.**US-2021-0170188-A1**Publication Date:**06/10/2021**NOTICE OF PUBLICATION OF APPLICATION**

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

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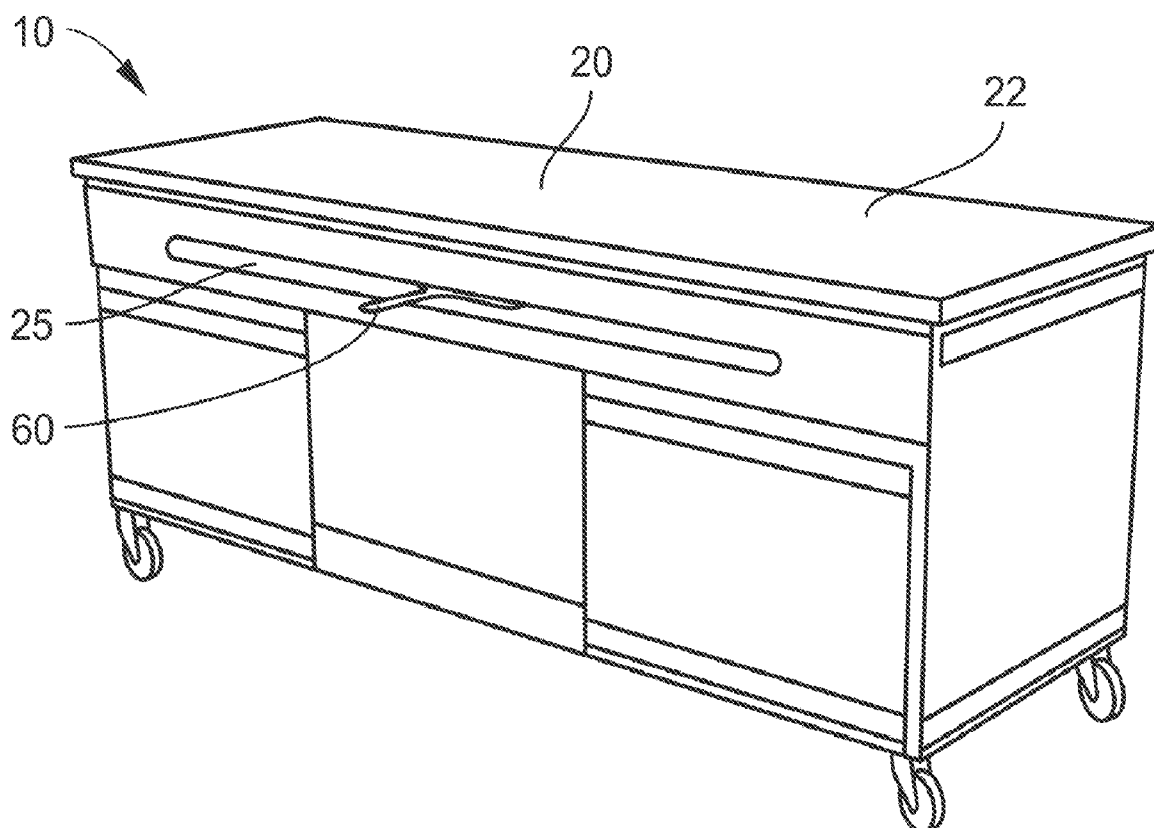
US 20210170188A1

(19) **United States**(12) **Patent Application Publication**
Paulus(10) **Pub. No.: US 2021/0170188 A1**(43) **Pub. Date: Jun. 10, 2021**(54) **MAGNETIC NERVE STIMULATOR**(71) Applicant: **Kenneth Paulus**, Charlotte, NC (US)(72) Inventor: **Kenneth Paulus**, Charlotte, NC (US)(21) Appl. No.: **17/111,833**(22) Filed: **Dec. 4, 2020****Related U.S. Application Data**

(60) Provisional application No. 62/943,660, filed on Dec. 4, 2019.

Publication Classification(51) **Int. Cl.**
A61N 2/02 (2006.01)
A61N 2/00 (2006.01)(52) **U.S. Cl.**CPC **A61N 2/02** (2013.01); **A61N 2/006** (2013.01)(57) **ABSTRACT**

An apparatus for muscle stimulation comprising a platform with an upper surface and a lower surface, a pair of cross rails mounted under the lower surface of the platform, a sled slidably mounted to the cross rails, a pair of sled rails mounted to the sled, a bracket slidably mounted to the sled rails, a handle secured to the bracket, wherein the handle allows an operator to adjust the location of the bracket to any location desired under the platform, a magnetic nerve/muscle stimulator mounted to the bracket which includes one or more magnets and one or more electrical coils and a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator, wherein the magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform.



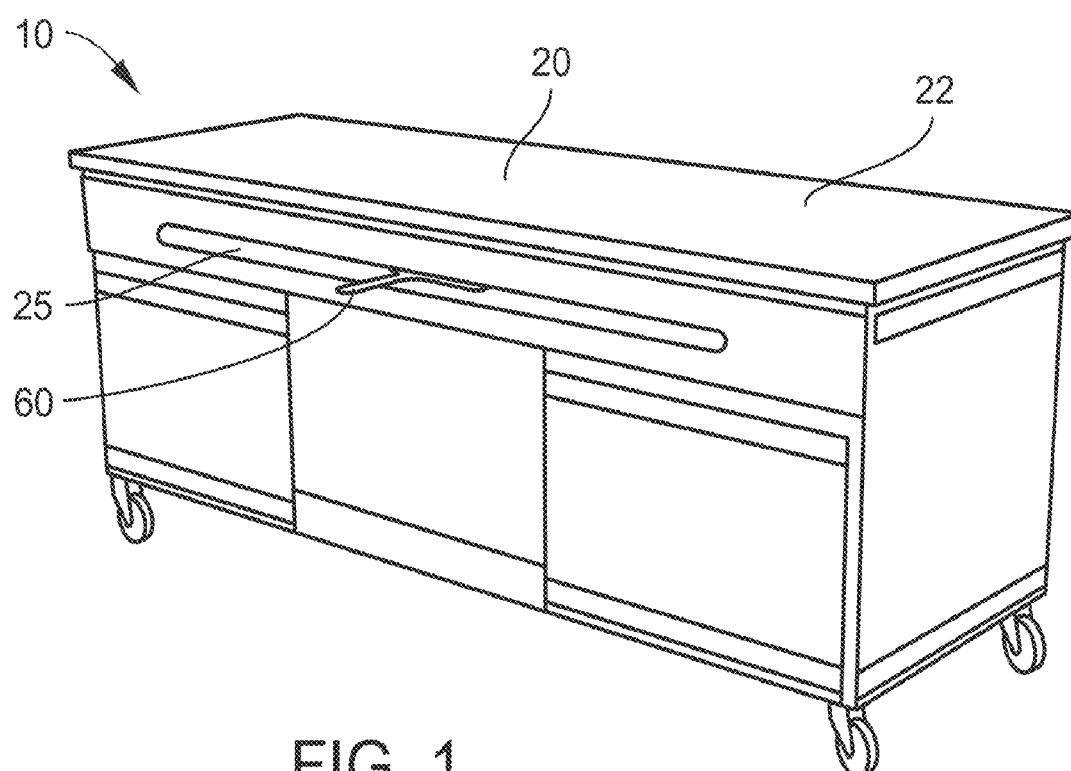


FIG. 1

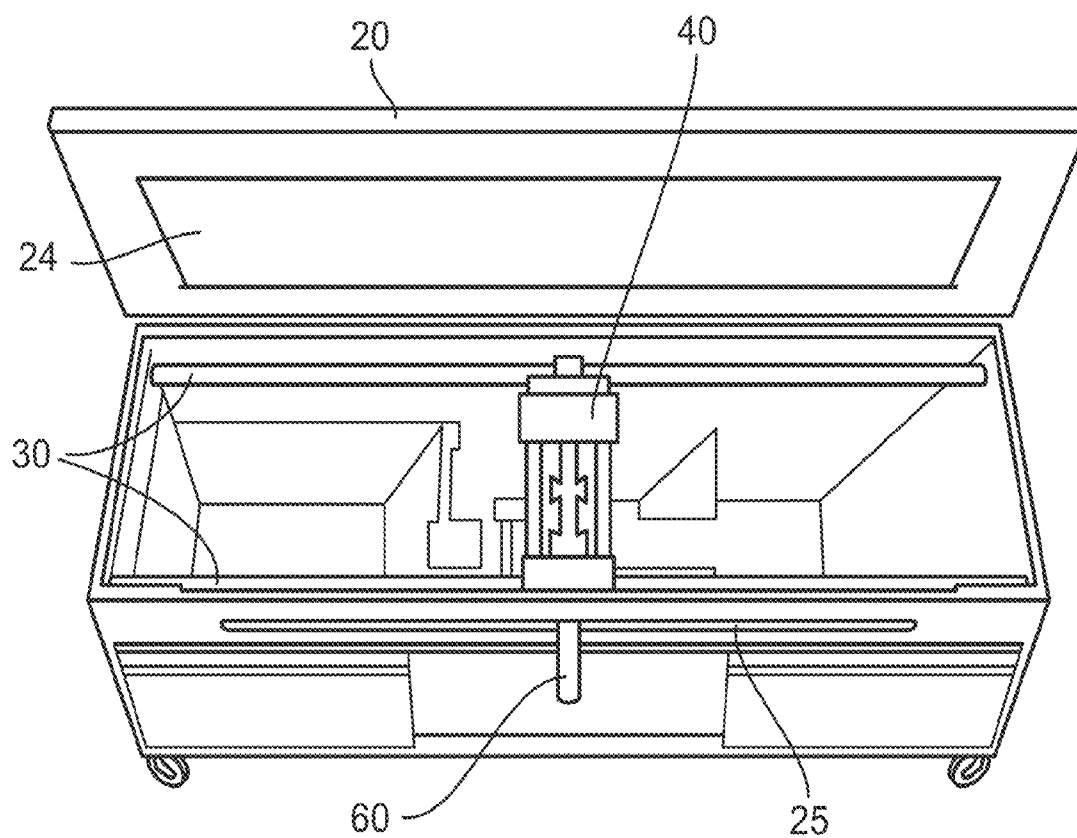


FIG. 2

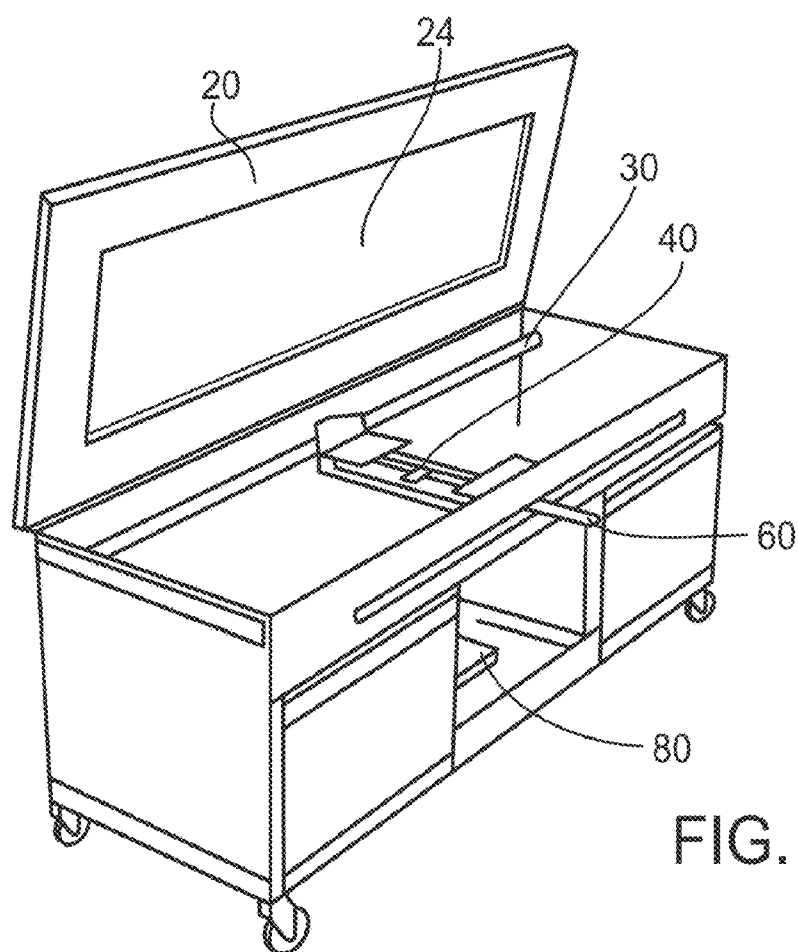


FIG. 3

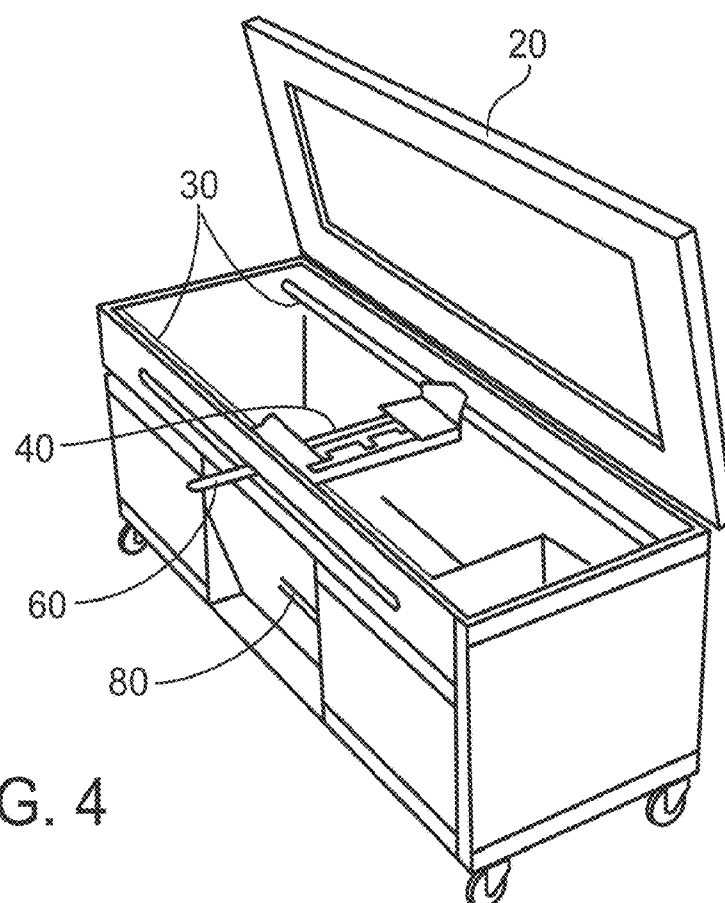


FIG. 4

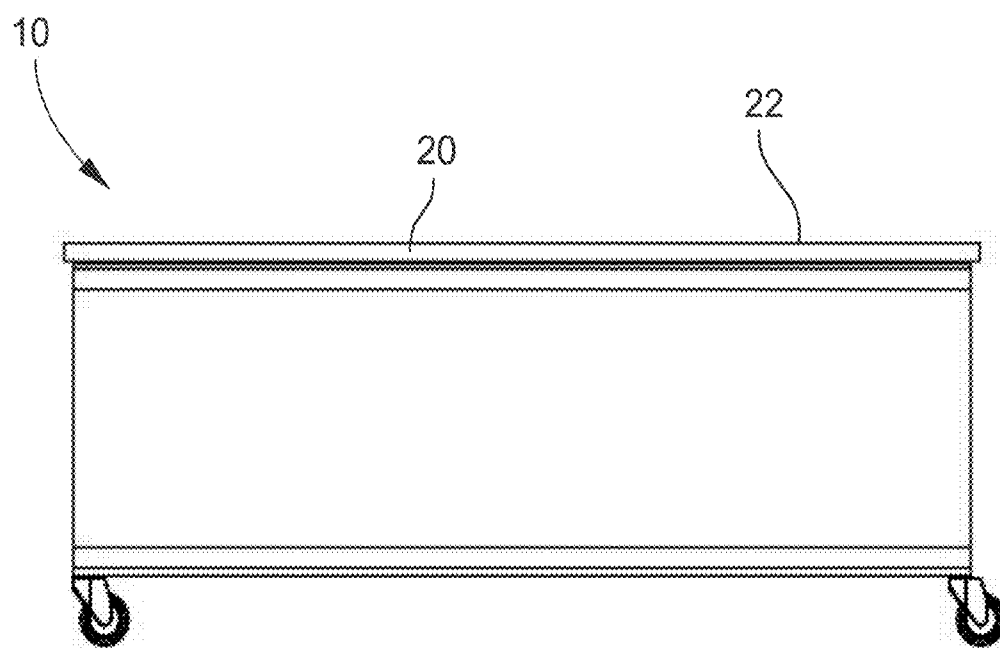


FIG. 5

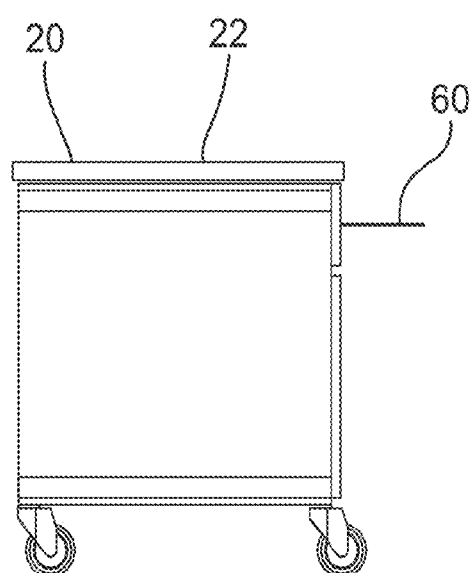


FIG. 6

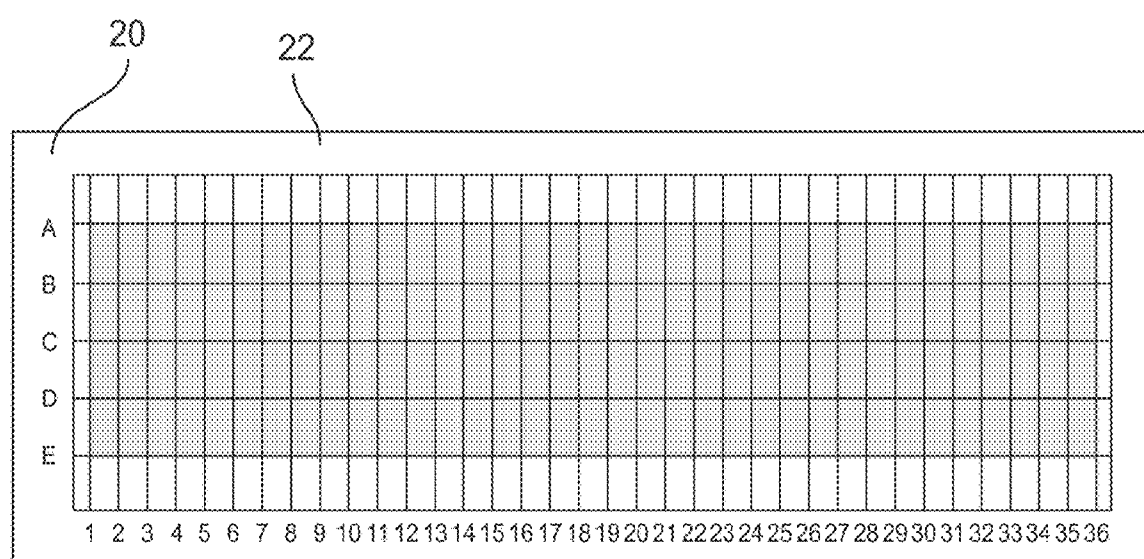


FIG. 7

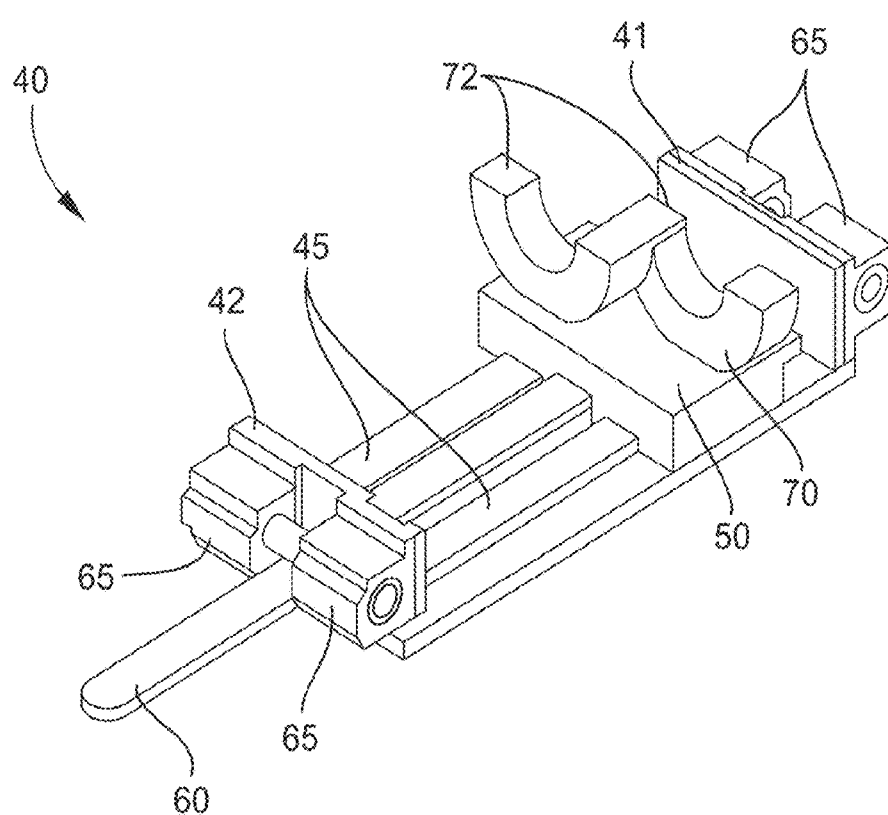


FIG. 8

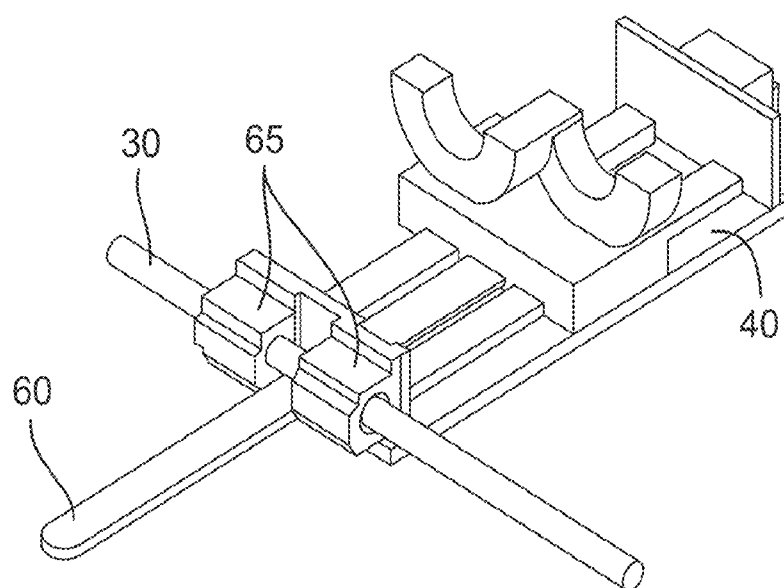


FIG. 9

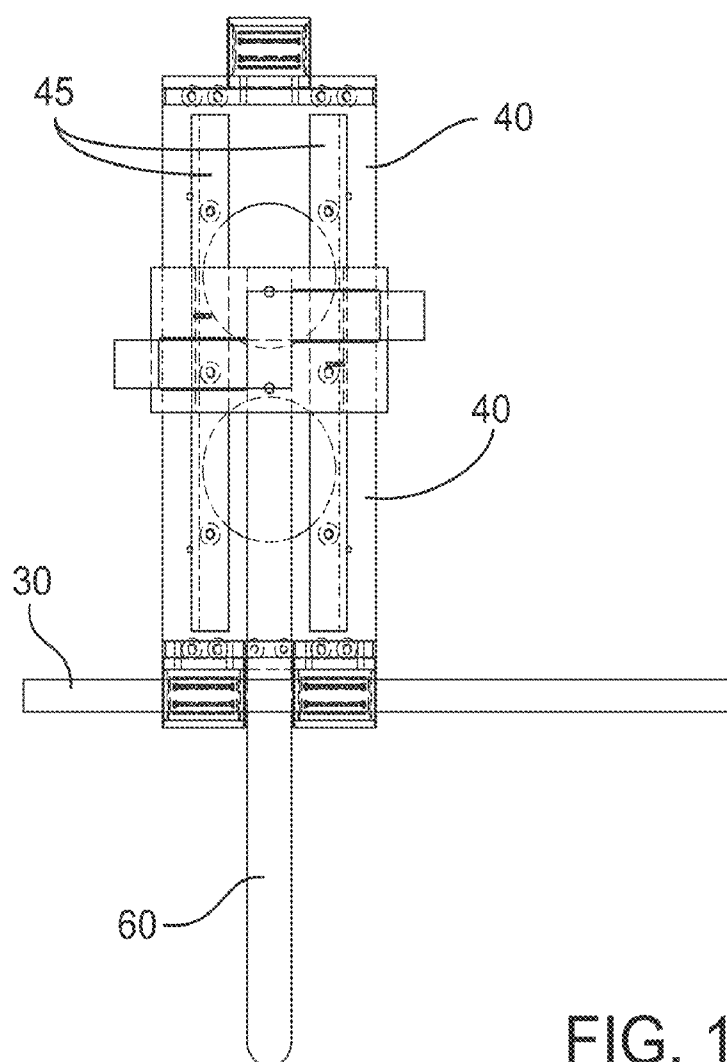


FIG. 10

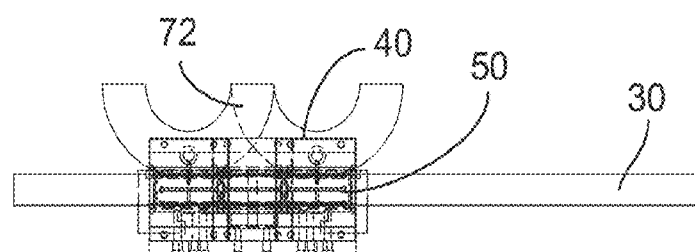


FIG. 11

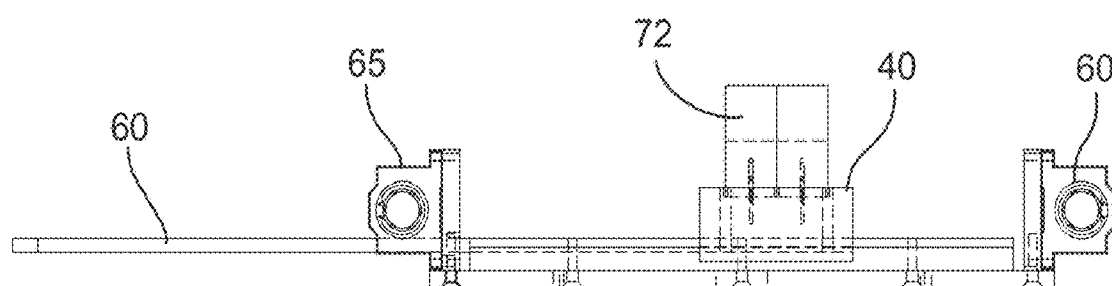


FIG. 12

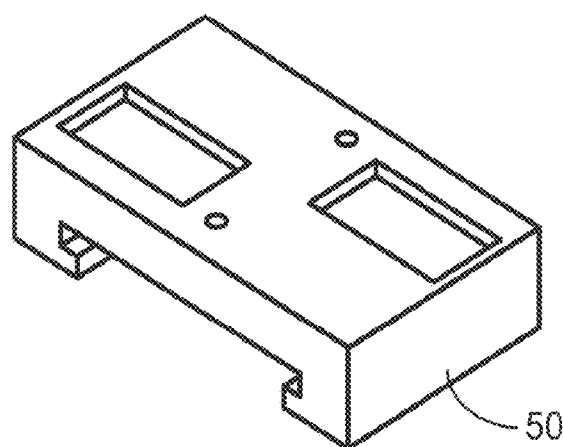


FIG. 13

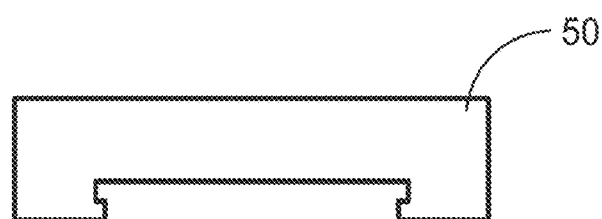


FIG. 14

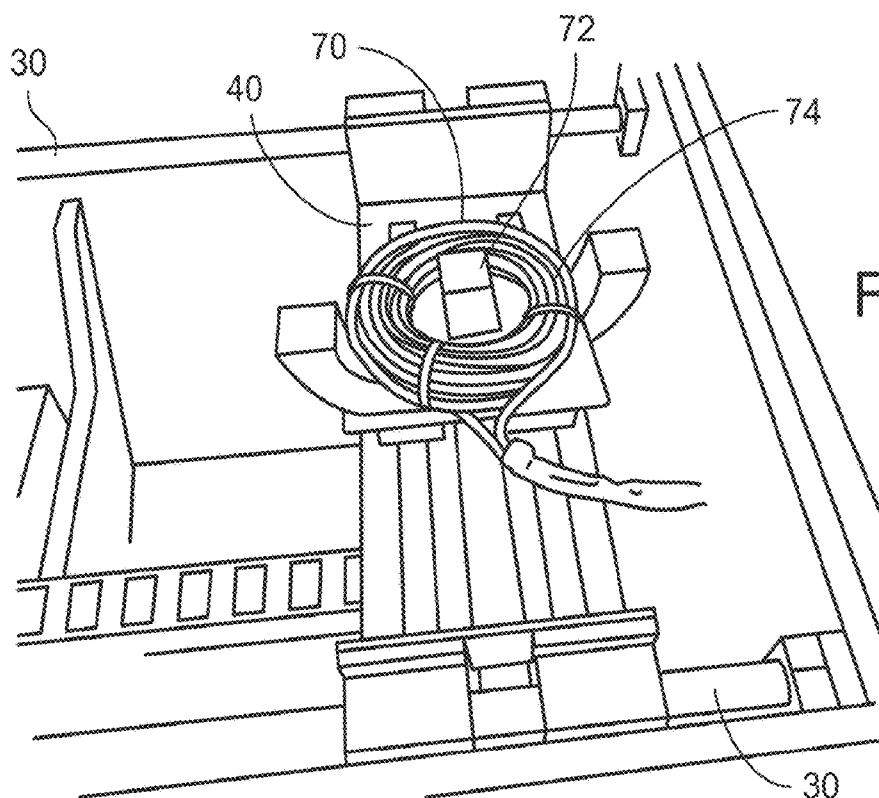


FIG. 15

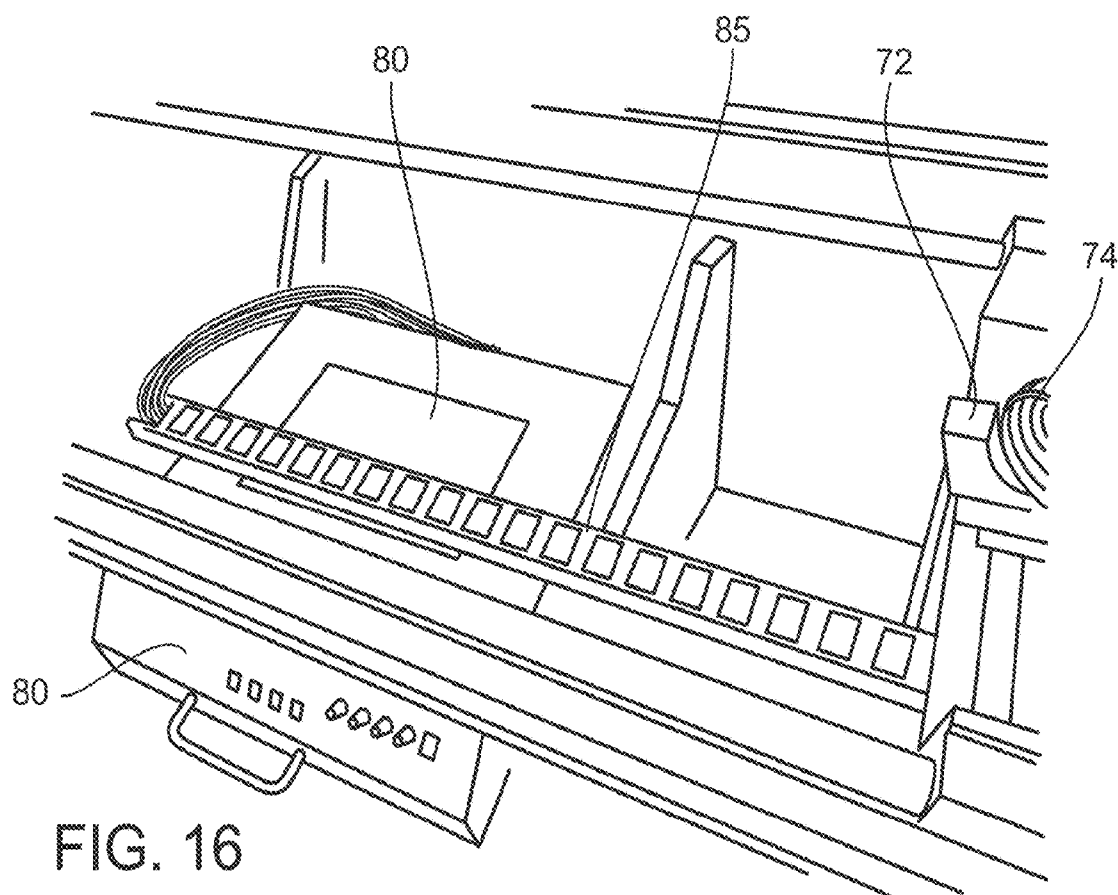


FIG. 16

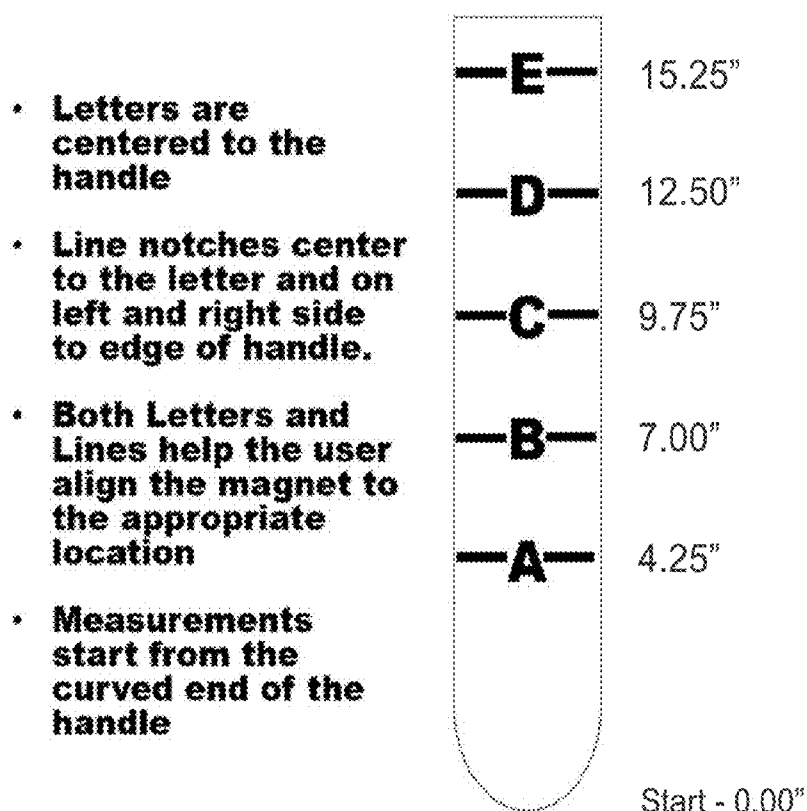
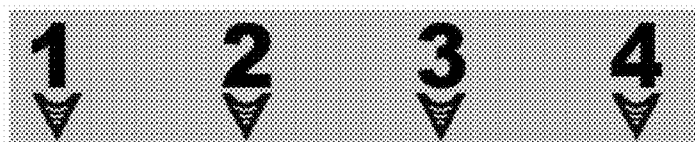
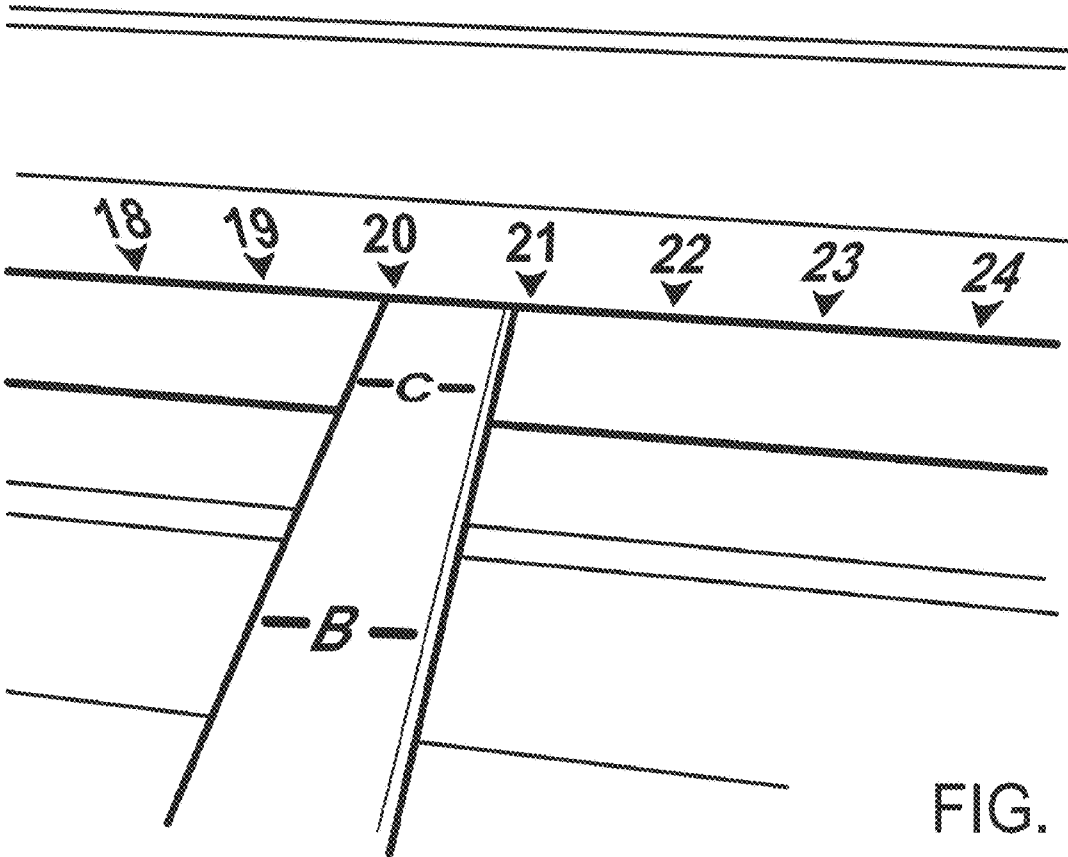
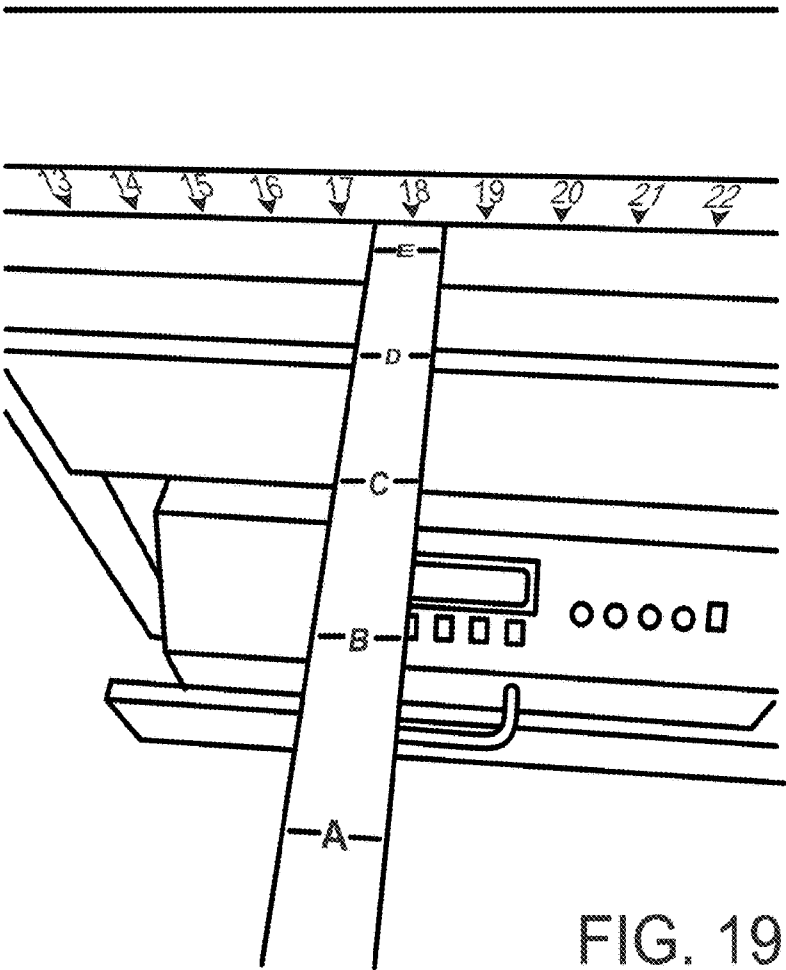


FIG. 17



- Font is Arial Black
- Arrow is the REACT logo "A" turned upside down
- Number line is 1 - 36
- Space between Arrows is 1.5 inches
- Number Font Size is TBD
- Strip is REACT Green with printed Black on top
- Strip is TBD x TBD

FIG. 18



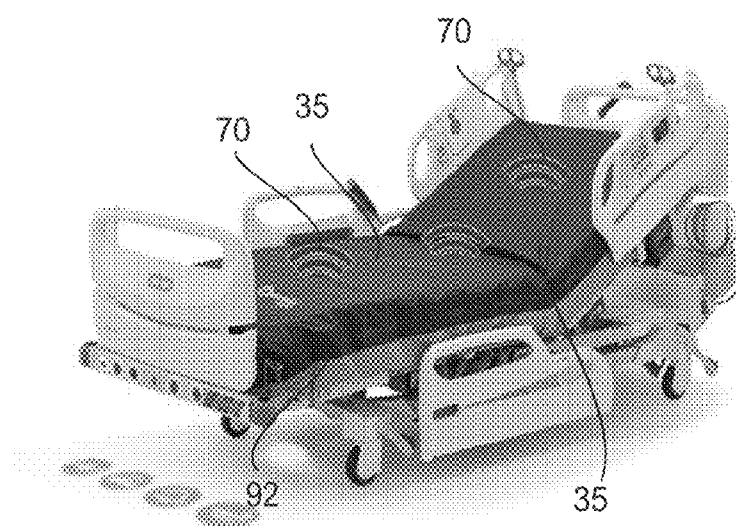


FIG. 21

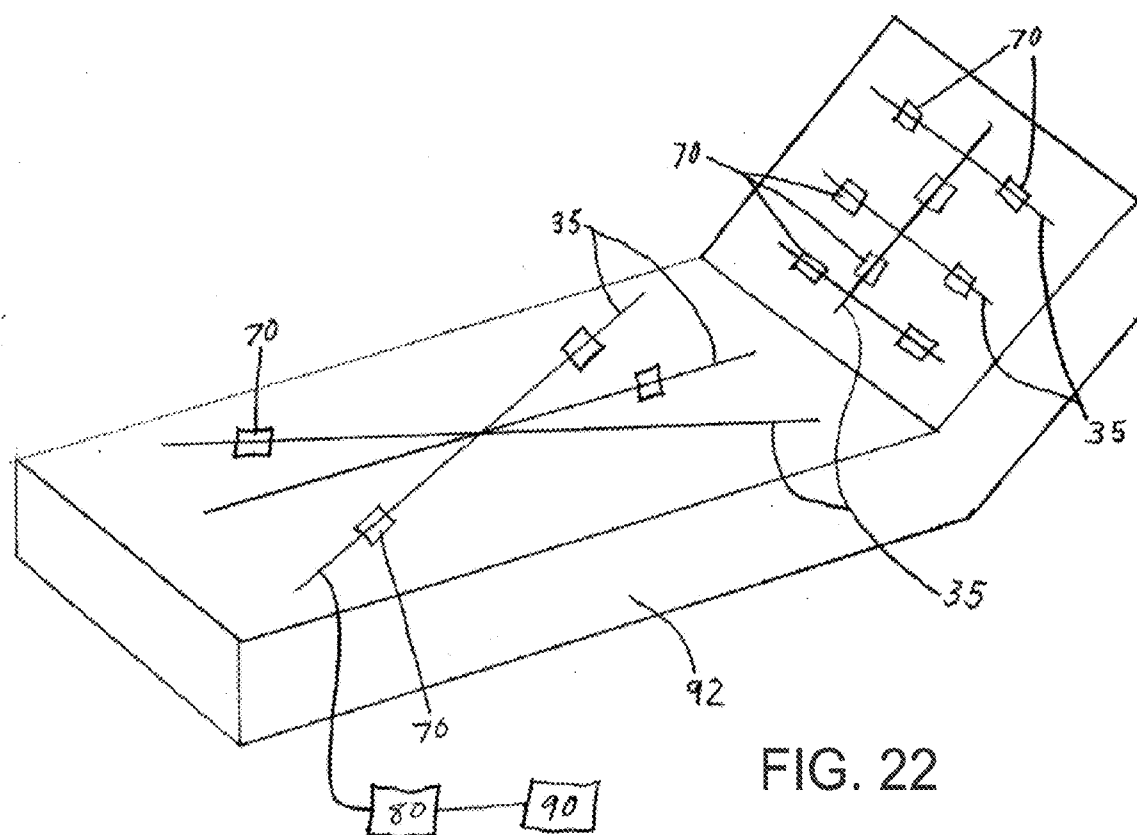


FIG. 22



FIG. 23

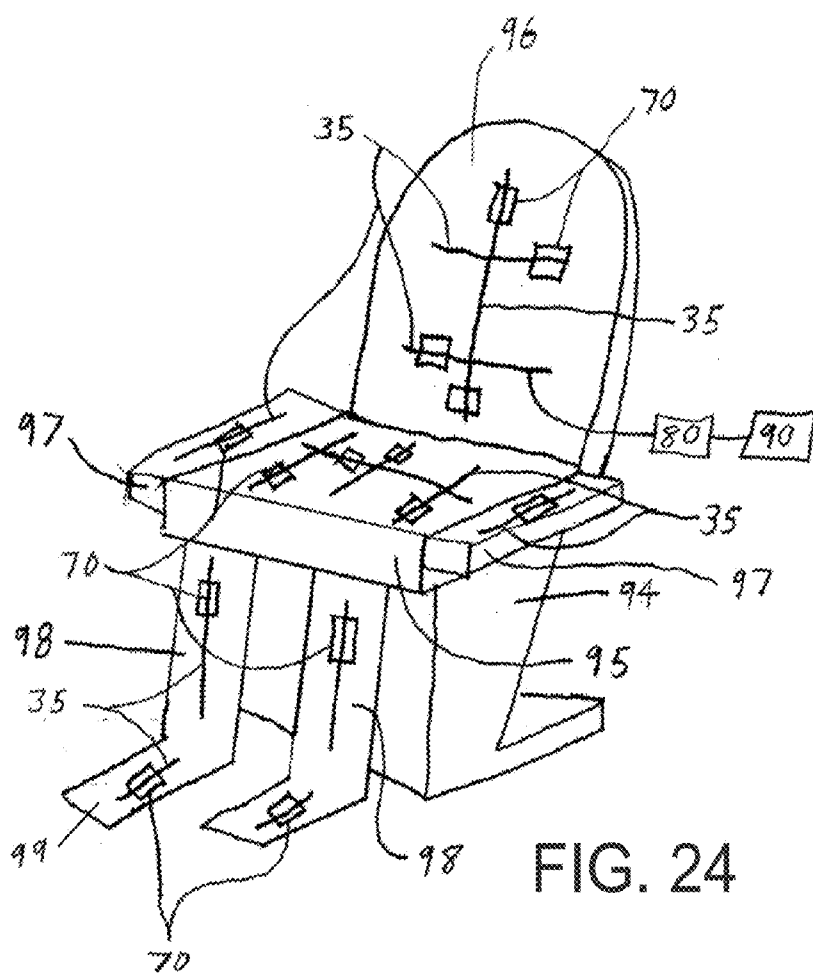


FIG. 24

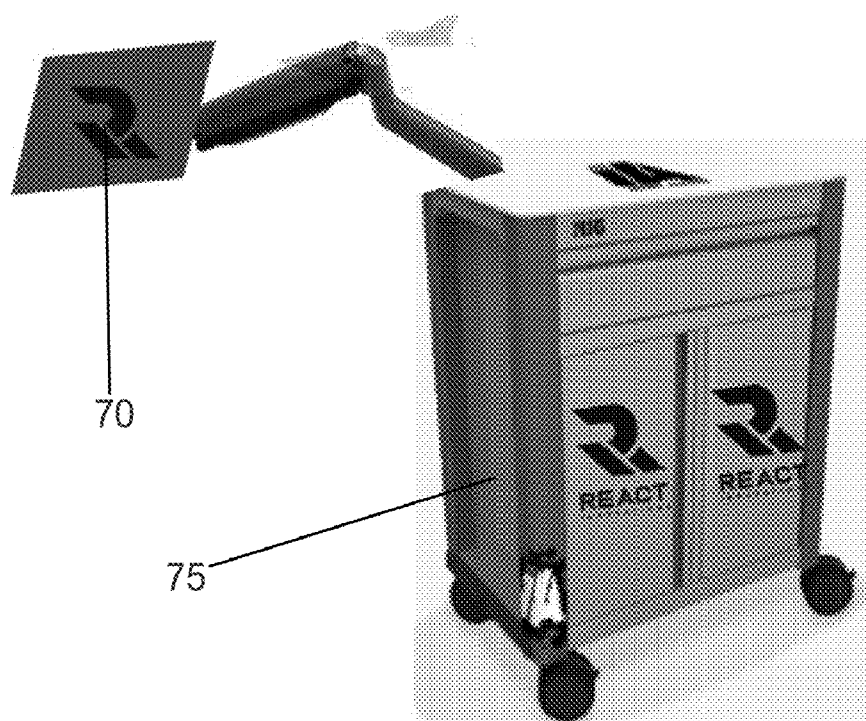


FIG. 25

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MAGNETIC NERVE STIMULATOR**CROSS REFERENCE TO RELATED APPLICATION**

[0001] This application claims the priority of the provisional application Ser. No. 62/943,660 filed Dec. 4, 2019. Applicant hereby incorporates by reference the entire content of provisional application Ser. No. 62/943,660.

FIELD OF INVENTION

[0002] This invention pertains to the activation of nerves by topical stimulators to control or influence muscles, tissues, blood flow, organs, neuromuscular disorders or sensation, including pain, in humans and mammals.

BACKGROUND OF THE INVENTION

[0003] A nerve cell can be excited many different ways. A direct method is to increase the electrical charge within the nerve, thereby increasing the membrane potential inside the nerve with respect to the surrounding extracellular fluid. Devices that fall under the umbrella of Functional Electrical Stimulation (FES) achieves the excitation of the nerves by directly stimulating the nerves via electrodes which are either placed on a patient's skin or in vivo next to the targeted nerve group. The electric fields necessary for the charge transfer are generated via the wires of the electrodes.

[0004] FES is accomplished through a mechanism which involves a half-cell reaction. Electrons flow in wires and ions flow in the body. At the electro-electrolytic interface, a half-cell reaction occurs to achieve the electron-ion interchange. Unless this half-cell reaction is maintained in the reversible regime, necrosis will result—partially because of the oxidation of the half-cell reaction and partially because of the chemical imbalance accompanied by it.

[0005] The advantage of FES is that the stimulation is accomplished from extremely small electrodes with very low current and voltage levels. The disadvantage is that it involves the above described half-cell reactions. Most rehabilitation regimen using FES place the electrodes directly on the skin. A conductive gel or buffering solution is used between the electrodes and the skin surface. Long term excitation of nerve or muscle tissue is generally accompanied by skin irritation due to the current concentration at the electrode/skin interface. This problem is aggravated when larger excitation levels are required for more comprehensive stimulation or recruitment of the nerve group.

[0006] Magnetic stimulation realizes the electric fields necessary for the charge transfer by induction without the disadvantages of FES. Rapidly changing magnetic fields induce electric fields in the biological tissue. When properly oriented, and when the proper magnitude is achieved, the magnetically induced electric field achieves the transfer of charge directly into the nerve to be excited. When the localized membrane potential inside the nerve rises with respect to its normal negative ambient level of approximately -90 millivolts (this level being sensitive to the type of nerve and local pH of the surrounding tissue), the nerve "fires", sending a signal to the motor cortex of the brain which in turn sends a protein response back to the targeted muscle group to contract. This mechanism creates a true neuromuscular response between the muscle and brain.

[0007] The present invention is specifically designed for non-invasive external stimulation of selected nerve or nerve

groups. Magnetic excitation has the attractive feature of not requiring electrode skin contact. Thus, stimulation can be achieved through clothing, bandages and even immobilizing splints or casts. This overcomes the problem of inconvenience and preserves a patient's modesty. Secondly, because there is no direct contact, stronger excitation levels can be realized without additional skin irritation. The present invention provides the ability to achieve higher levels of focusing of the magnetic field and thus stimulation within the patient. Commensurate with this greater level of focusing comes some flexibility in the number of possible applications that might be targeted. Also accompanying the focusing is a higher level of power efficiency.

[0008] Thus, there is clearly a need for a treatment and system for the activation of nerves by topical stimulators to control or influence muscles, tissues, organs, or sensation, including pain, in humans and mammals.

SUMMARY OF THE INVENTION

[0009] An apparatus for muscle stimulation comprising a platform with an upper surface and a lower surface, a pair of cross rails mounted under the lower surface of the platform, a sled slidably mounted to the cross rails, a pair of sled rails mounted to the sled, a bracket slidably mounted to the sled rails, a handle secured to the bracket, wherein the handle allows an operator to adjust the location of the bracket to any location desired under the platform, a magnetic nerve/muscle stimulator mounted to the bracket which includes one or more magnets and one or more electrical coils and a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator, wherein the magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform.

DESCRIPTION OF THE DRAWINGS

[0010] For the purpose of illustrating the invention, there is shown in the drawings a form that is presently preferred; it being understood, however, that this invention is not limited to the precise arrangements and instrumentalities shown.

[0011] FIG. 1 is a side proximal view of one embodiment of a table used in the instant invention.

[0012] FIG. 2 is a downward proximal view of one embodiment of a table used in the instant invention.

[0013] FIG. 3 is a side proximal view of one embodiment of a table used in the instant invention.

[0014] FIG. 4 is a side proximal view of one embodiment of a table used in the instant invention.

[0015] FIG. 5 is a rear view of one embodiment of a table used in the instant invention.

[0016] FIG. 6 is a side view of one embodiment of a table used in the instant invention.

[0017] FIG. 7 is a view of one embodiment of the grid used on a table in the instant invention.

[0018] FIG. 8 is a proximal view of one embodiment of a sled used in the instant invention.

[0019] FIG. 9 is a proximal view of one embodiment of a sled used in the instant invention.

[0020] FIG. 10 is a downward view of one embodiment of a sled used in the instant invention.

[0021] FIG. 11 is a front view of one embodiment of a sled used in the instant invention.

[0022] FIG. 12 is a side view of one embodiment of a sled used in the instant invention.

[0023] FIG. 13 is a proximal view of one embodiment of a bracket used in the instant invention.

[0024] FIG. 14 is a front view of one embodiment of a bracket used in the instant invention.

[0025] FIG. 15 is a proximal view of one embodiment of a magnetic nerve/muscle stimulator used in the instant invention.

[0026] FIG. 16 is a proximal view of one embodiment of a cord cradle used in the instant invention.

[0027] FIG. 17 is an embodiment of a letter diagram on the handle of the instant invention.

[0028] FIG. 18 is an embodiment of a number diagram on the table of the instant invention.

[0029] FIG. 19 is an embodiment of a letter diagram on the handle and a number diagram on the table of the instant invention.

[0030] FIG. 20 is an embodiment of a letter diagram on the handle and a number diagram on the table of the instant invention.

[0031] FIG. 21 is proximal view of one embodiment of a bed used in the instant invention.

[0032] FIG. 22 is proximal view of one embodiment of a bed used in the instant invention.

[0033] FIG. 23 is proximal view of one embodiment of a chair used in the instant invention.

[0034] FIG. 24 is proximal view of one embodiment of a chair used in the instant invention.

[0035] FIG. 25 is proximal view of one embodiment of a mobile cart used in the instant invention.

DETAILED DESCRIPTION

[0036] The present invention now will be described more fully hereinafter in the following detailed description of the invention, in which some, but not all embodiments of the invention are described. Indeed, this invention may be embodied in many different forms and should not be construed as limited to the embodiments set forth herein; rather, these embodiments are provided so that this disclosure will satisfy applicable legal requirements.

[0037] The terminology used herein is for the purpose of describing particular embodiments only and is not intended to be limiting of the invention. As used herein, the term “and/or” includes any and all combinations of one or more of the associated listed items. As used herein, the singular forms “a,” “an,” and “the” are intended to include the plural forms as well as the singular forms, unless the context clearly indicates otherwise. It will be further understood that the terms “comprises” and/or “comprising,” when used in this specification, specify the presence of stated features, steps, operations, elements, and/or components, but do not preclude the presence or addition of one or more other features, steps, operations, elements, components, and/or groups thereof.

[0038] Unless otherwise defined, all terms (including technical and scientific terms) used herein have the same meaning as commonly understood by one having ordinary skill in the art to which this invention belongs. It will be further understood that terms, such as those defined in commonly used dictionaries, should be interpreted as having a meaning that is consistent with their meaning in the context of the

relevant art and the present disclosure and will not be interpreted in an idealized or overly formal sense unless expressly so defined herein.

[0039] In describing the invention, it will be understood that a number of techniques and steps are disclosed. Each of these has individual benefit and each can also be used in conjunction with one or more, or in some cases all, of the other disclosed techniques. Accordingly, for the sake of clarity, this description will refrain from repeating every possible combination of the individual steps in an unnecessary fashion. Nevertheless, the specification and claims should be read with the understanding that such combinations are entirely within the scope of the invention and the claims.

[0040] The instant invention is an apparatus 10 used to treat patients, both human and animal, for a variety of ailments. Treatments include, but are not limited to, relaxation of muscle spasms, prevention of atrophy resulting from disuse, increasing blood circulation, muscle re-education, post-surgical muscle stimulation, venous thrombosis prevention, and maintenance and/or increasing range of motion. The treatments are carried out using a non-invasive magnetic induction system called Extracorporeal Magnetic Innervation (ExMI). The apparatus 10 can stimulate tissue up to 10 cm in depth with no skin contact required. In use, the hertz (Hz) effects the pulse rate (contraction) and the amount of power effects the depth. Once engaged, the magnetic pulse depolarized the potassium and sodium ions within the cell wall. The causes the muscle to contract at a rate set by the system. The contraction is completely involuntary and has been proven to create new neuropathways between the brain and the muscle group.

TABLE 1

REACT Therapy Physics	
Depth: 4 inches to 3.5 inches (Depth)	Depth: 2 inches (Mid-Range)
Deep Tissue Manipulation	Deep Tissue Manipulation & Pain
Disuse Atrophy	Used primarily in prone position
2 is used for warmup and patient introduction	for Psoas
Commonly used in most protocols	Also effective in AC joint/shoulder
2 Hz & 10 Hz	23 Hz
Depth: 1.25 inches (Mid-Range)	Depth: .75-1 inches (Shallow)
Pain Management and ROM	Pain Management and ROM
Used throughout body	Used throughout body
Commonly used in most protocols	Peripheral nerves, often used in lower back and during spasm
34 Hz	50 Hz

[0041] The use of the apparatus is most simply completed in three steps.

[0042] 1. The patient lies on the platform and the magnetic nerve/muscle stimulator is adjusted and positioned beneath the desired muscle region.

[0043] 2. The power and Hz are adjusted to the desired levels

[0044] 3. The muscle group is treated for the desired length of time.

[0045] The instant invention includes an apparatus 10 for muscle stimulation comprising a platform 20 with an upper surface 22 and a lower surface 24, a pair of cross rails 30 are mounted under the lower surface 24 of the table 20 and a sled 40 slidably mounted to the cross rails 30. The platform 20 can be a table 91 or a bed 92. A pair of sled rails 45 are mounted to the sled 40 and a bracket 50 is slidably mounted

to the sled rails 45. A handle 60 secured to the bracket 50 and the handle 60 allows an operator or machine to adjust the location of the bracket 50 to any location desired under the platform 20. A magnetic nerve/muscle stimulator 70 is mounted to the bracket 50 which includes one or more magnets 72 and one or more electrical coils 74, and a control panel 80 is operationally associated with the magnetic nerve/muscle stimulator 70. A control panel 80 controls the power supplied and the frequency (Hz) of the magnetic nerve/muscle stimulator 70 which generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform 22.

[0046] The instant invention also includes an apparatus 10 for muscle stimulation comprising a platform 20 with an upper surface 22 and a lower surface 24, one or more pairs of cross rails 30 mounted under the lower surface 24 of the platform 20 and one or more sleds 40 slidably mounted to each pair of cross rails 30. The platform 20 can be a table 91 or a bed 92. A pair of sled rails 45 are mounted to each sled and a bracket 50 is slidably mounted to each pair of sled rails 45. A magnetic nerve/muscle stimulator 70 is mounted to each bracket 50 which includes one or more magnets 72 and one or more electrical coils 74 where the magnetic nerve/muscle stimulator 70 generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface 22 of the platform 20. One or more actuators operationally associated with each bracket 50 where the actuators move each bracket 50 along the x-axis and y-axis beneath the platform along the cross rails 30 and sled rails 45. A control panel 80 is operationally associated with the magnetic nerve/muscle stimulator 70, the control panel 80 controlling the power supplied to the magnetic nerve/muscle stimulator 70. A CPU/processing computer 90 is operationally associated with the control panel 80 and the actuators and one or more processors, a computer readable memory, and a computer readable storage medium operatively associated with the CPU/processing computer. A treatment module which includes programming instructions to execute one or more treatment programs, directing each bracket 50 to specific coordinates beneath the platform 20 and supplying each coil 74 with an amount of power for a duration at a frequency.

[0047] The instant invention also includes an apparatus 10 for muscle stimulation comprising a chair 94 including a seat 95 with an upper surface and a lower surface, a back 96 engaged to the seat 95, the back 96 having an upper surface and a lower surface, one or more arm supports 97 engaged to the seat 95, the arm supports 97 having an upper surface and a lower surface, and one or more leg supports 98 engaged to the seat 95, the leg supports 98 having an upper surface and a lower surface. One or more pairs of cross rails 30 are mounted under the lower surface of the seat 95, back 96, arm supports 97, and/or leg supports 98 with one or more sleds 40 slidably mounted to each pair of cross rails 30. A pair of sled rails 45 are mounted to each sled 40 and a bracket 50 is slidably mounted to each pair of sled rails 45. A magnetic nerve/muscle stimulator 70 is mounted to each bracket 50 which includes one or more magnets 72 and one or more electrical coils 74 where each magnetic nerve/muscle stimulator 70 generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the seat 95, back 96, arm supports 97, and/or leg supports 98. One or more actuators are operationally associated with each bracket 50 where the actuators move each bracket 50 along the x-axis and y-axis beneath the surfaces of the chair along

the cross rails 30 and sled rails 45. A control panel 80 is operationally associated with the magnetic nerve/muscle stimulator 70, the control panel 80 controlling the power supplied to the magnetic nerve/muscle stimulator 70. A CPU/processing computer 90 is operationally associated with the control panel 80 and the actuators and one or more processors, a computer readable memory, and a computer readable storage medium operatively associated with the CPU/processing computer and a treatment module which includes programming instructions to execute one or more treatment programs, directing each bracket to specific coordinates beneath the chair elements and supplying each coil with an amount of power for a duration at a frequency.

[0048] The above apparatus 10 can further include one or more foot supports 99 engaged to the leg supports 98 or the chair 94. One or more pairs of cross rails 30 are mounted under the lower surface of the foot supports 99 with one or more sleds 40 slidably mounted to each pair of cross rails 30. A pair of sled rails 45 are mounted to each sled 40 and a bracket 50 is slidably mounted to each pair of sled rails 45. A magnetic nerve/muscle stimulator 70 is mounted to each bracket 50 which includes one or more magnets 72 and one or more electrical coils 74 where each magnetic nerve/muscle stimulator 70 generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the foot supports 99. One or more actuators are operationally associated with each bracket 50 where the actuators move each bracket 50 along the x-axis and y-axis beneath the surfaces of the chair along the cross rails 30 and sled rails 45. A control panel 80 is operationally associated with the magnetic nerve/muscle stimulator 70, the control panel 80 controlling the power supplied to the magnetic nerve/muscle stimulator 70. A CPU/processing computer 90 is operationally associated with the control panel 80 and the actuators and one or more processors, a computer readable memory, and a computer readable storage medium operatively associated with the CPU/processing computer and a treatment module which includes programming instructions to execute one or more treatment programs, directing each bracket to specific coordinates beneath the chair elements and supplying each coil with an amount of power for a duration at a frequency.

[0049] The apparatus 10 for muscle stimulation can include a treatment module that includes programs with programming instructions which are selected for each individual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations. The treatment module also includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient.

[0050] The apparatus 10 for muscle stimulation can also include a letter diagram located on the handle 60 which corresponds to a location on the y-axis for the bracket 50 and a number diagram located on the platform 20 which corresponds to a location on the x-axis for the bracket 50. One embodiment of this is shown in FIGS. 17 and 18. The apparatus 10 can also include a grid diagram printed on the upper surface of the platform 22 (FIG. 7), where the grid diagram shows the corresponding letter diagram and number diagram locations allowing an operator to position the bracket 50 in an area under the platform to direct the magnetic field into the anatomy of a patient positioned on the upper surface of the platform 22. The grid diagram also

allows an operator to correctly position a patient on the platform 20 to ensure the proper muscle groups are treated.

[0051] The apparatus 10 can also include a cord cradle 85 (FIG. 16), wherein wires for the electrical coils are routed through the cord cradle 85 to manage and protect the wires while the bracket 50 is moved. The magnetic nerve/muscle stimulator 70 within the apparatus 10 is adapted to stimulate nerves which cause contraction of muscles located within the generated magnetic field.

[0052] The lower surface of the platform 24 can be recessed, and the magnetic nerve/muscle stimulator 70 is located within the recessed area. This decreases the thickness of the platform 20, allowing the magnetic nerve/muscle stimulator 70 to be located closer to the patient. The thickness of the platform 20 is in the range of 0.1 to 3.0 cm, 0.2 to 3.0 cm, 0.3 to 3.0 cm, 0.4 to 3.0 cm, 0.5 to 3.0 cm, 0.6 to 3.0 cm, 0.7 to 3.0 cm, 0.8 to 3.0 cm, 0.9 to 3.0 cm, 1.0 to 3.0 cm, 1.5 to 3.0 cm, 2.0 to 3.0 cm, or any combination thereof.

[0053] The apparatus 10 for muscle stimulation can also include one or more actuators operationally associated with the bracket 50 where the actuators move the bracket 50 along the x-axis and y-axis, locating the magnetic nerve/muscle stimulator 70 in any location desired beneath the platform 20. A CPU/processing computer is operationally associated with the control panel 80 and the actuators and electronic storage is operationally associated with the CPU/processing computer. The CPU/processing computer is capable of executing one or more programs stored on the electronic storage, supplying the coils with a specific amount of power and adjusting the wavelength generated, directing the bracket 50 to specific coordinates on the platform 20 for a specific duration.

[0054] The apparatus 10 for muscle stimulation can also include an optical scanner or pressure pad operationally associated with the control panel 80 and the CPU/processing computer 90 which are capable of detecting a patient and a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer 90 where the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators 70 to carry out one or more treatment programs.

[0055] The instant invention also includes a portable version of the apparatus 10 for muscle stimulation as described above. The mobile unit 75 can include one magnetic nerve/muscle stimulator 70 which is located under the surface of a platform 20 and also include another magnetic nerve/muscle stimulator 70 secured to a manipulatable arm, allowing a user to locate the magnetic nerve/muscle stimulator 70 in any desired location on a patient. The portable version can also include a single magnetic nerve/muscle stimulator 70 secured to a manipulatable arm. The portable version may also be a seat/stool design with a fixed magnetic nerve/muscle stimulator 70 located under the seat.

[0056] The instant invention allows a single operator can control two or more apparatuses 10 from a single CPU/processing computer 90. A CPU/processing computer can include any kind of computer known in the art including, but not limited to, desktops, laptops, tablets, smart devices, smart phones, or any combination thereof. The instant invention can also be controlled remotely using any device or technology known in the art including, but not limited to, through the internet (wired or wireless), Bluetooth, radio frequency, or any combination thereof.

[0057] The instant invention also includes a method for stimulating specific muscles and/or muscle groups comprising the steps of:

[0058] a. providing an apparatus 10 for muscle stimulation comprising a table 20 with an upper surface 22 and a lower surface 24, a pair of cross rails 30 are mounted under the lower surface 24 of the table 20 and a sled 40 slidably mounted to the cross rails 30. A pair of sled rails 45 are mounted to the sled 40 and a bracket 50 is slidably mounted to the sled rails 45. A handle 60 secured to the bracket 50 and the handle 60 allows an operator or machine to adjust the location of the bracket 50 to any location desired under the table 20. A magnetic nerve/muscle stimulator 70 is mounted to the bracket 50 which includes one or more magnets 72 and one or more electrical coils 74, and a control panel 80 is operationally associated with the magnetic nerve/muscle stimulator 70. A letter diagram is located on the handle 60 which corresponds to a location on the y-axis for the bracket 50 and a number diagram located on the table 20 which corresponds to a location on the x-axis for the bracket 50;

[0059] b. positioning a patient on the upper surface 22 of the table 20;

[0060] c. moving and locating the bracket 50 into a desired position under the table 20 and the patient;

[0061] d. activating the control panel 80 to supply power to the magnetic nerve/muscle stimulator 70 and generate a magnetic field with the magnetic nerve/muscle stimulator 70;

[0062] e. directing the magnetic field into the anatomy of the patient positioned on the upper surface 22 of the table 20 for a desired length of time; and

[0063] f. repeating steps (c), (d) and (e) until the patient's treatment is complete.

[0064] The instant invention also includes a method for stimulating specific muscles and/or muscle groups comprising the steps of:

[0065] a. providing an apparatus 10 for muscle stimulation comprising a platform 20 with an upper surface 22 and a lower surface 24, one or more pairs of cross rails 30 mounted under the lower surface 24 of the platform 20, one or more sleds 40 slidably mounted to each pair of cross rails 30, a pair of sled rails 45 mounted to each sled 40, a bracket 50 slidably mounted to each pair of sled rails 45 and a magnetic nerve/muscle stimulator 70 mounted to each bracket 50 which includes one or more magnets 72 and one or more electrical coils 74, where the magnetic nerve/muscle stimulator 70 generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform. One or more actuators are operationally associated with the bracket 50 where the actuators move each bracket 50 along the x-axis and y-axis beneath the platform along the cross rails 30 and sled rails. A control panel 80 is operationally associated with the magnetic nerve/muscle stimulator 70, the control panel 80 controlling the power supplied to the magnetic nerve/muscle stimulator 70. A CPU/processing computer 90 is operationally associated with the control panel 80 and the actuators and one or more processors, a computer readable memory, and a computer readable storage medium are operatively associated with the CPU/processing computer. A treatment

module which includes programming instructions to execute one or more treatment programs, directing each bracket **50** to specific coordinates beneath the platform **20** and supplying each coil **72** with an amount of power for a duration at a frequency;

[0066] b. positioning a patient on the upper surface **22** of the platform **20**;

[0067] c. moving and locating each bracket **50** into a desired position under the platform **20** and the patient using the CPU/processing computer;

[0068] d. engaging the treatment module and selecting one or more treatment programs to treat the patient;

[0069] e. executing the one or more treatment programs to engage the control panel to supply power to the magnetic nerve/muscle stimulator and generate a magnetic field with the magnetic nerve/muscle stimulator;

[0070] f. directing the magnetic field into the anatomy of the patient positioned on the upper surface of the platform **20** for a desired length of time; and

[0071] g. repeating steps (c), (d), (e) and (f) until the patient's treatment is complete.

[0072] The above methods may further include a grid diagram printed on the upper surface **22** of the table **20**, the grid diagram showing the corresponding letter diagram and number diagram locations allowing an operator to position the bracket **50** in an area under the table **20** to direct the magnetic field into the anatomy of a patient positioned on the upper surface **22** of the table **20**. The method as described where the magnetic nerve/muscle stimulator **70** is adapted to stimulate nerves which cause contraction of muscles located within the generated magnetic field.

[0073] The above methods may further include one or more actuators operationally associated with each bracket **50** where the actuators move the bracket **50** along the x-axis and y-axis, locating the magnetic nerve/muscle stimulator **70** in any location desired beneath the table. A CPU/processing computer is operationally associated with the control panel **80** and the actuators and electronic storage is operationally associated with the CPU/processing computer. The CPU/processing computer is capable of executing one or more programs stored on the electronic storage, supplying the coils with a specific amount of power and adjusting the wavelength generated, directing the bracket **50** to specific coordinates on the table for a specific duration.

[0074] The above methods can further include an optical scanner or pressure pad operationally associated with the control panel **80** and the CPU/processing computer **90** which are capable of detecting a patient and a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer **90** where the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators **70** to carry out one or more treatment programs.

[0075] The treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient.

[0076] Any method described herein may incorporate any design element contained within this application and any other document/application incorporated by reference herein.

[0077] In describing the invention, it will be understood that a number of techniques and steps are disclosed. Each of

these has individual benefit and each can also be used in conjunction with one or more, or in some cases all, of the other disclosed techniques. Accordingly, for the sake of clarity, this description will refrain from repeating every possible combination of the individual steps in an unnecessary fashion. Nevertheless, the specification and claims should be read with the understanding that such combinations are entirely within the scope of the invention and the claims.

[0078] The present invention may be embodied in other forms without departing from the spirit and the essential attributes thereof, and, accordingly, reference should be made to the appended claims, rather than to the foregoing specification, as indicating the scope of the invention. The invention illustratively disclosed herein suitably may be practiced in the absence of any element which is not specifically disclosed herein.

1. An apparatus for muscle stimulation comprising:

a platform with an upper surface and a lower surface;

one or more pairs of cross rails mounted under the lower surface of the platform;

one or more sleds slidably mounted to each pair of cross rails;

a pair of sled rails mounted to each sled;

a bracket slidably mounted to each pair of sled rails;

a magnetic nerve/muscle stimulator mounted to each bracket which includes one or more magnets and one or more electrical coils;

wherein the magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform;

one or more actuators operationally associated with each bracket;

wherein the actuators move each bracket along the x-axis and y-axis beneath the platform along the cross rails and sled rails;

a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator;

a CPU/processing computer operationally associated with the control panel and the actuators; and

one or more processors, a computer readable memory, and a computer readable storage medium operatively associated with the CPU/processing computer; and

a treatment module which includes programming instructions to execute one or more treatment programs, directing each bracket to specific coordinates beneath the platform and supplying each coil with an amount of power for a duration at a frequency.

2. The apparatus for muscle stimulation of claim 1 wherein the treatment module includes programs with programming instructions which are selected for each individual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations.

3. The apparatus for muscle stimulation of claim 1 further including one or more cord cradles, wherein wires for the electrical coils are routed through the cord cradle to manage and protect the wires while the bracket is moved.

4. The apparatus for muscle stimulation of claim 1 wherein the lower surface of the platform is recessed, and the magnetic nerve/muscle stimulator is located within the recessed area.

5. The apparatus for muscle stimulation of claim 1 further comprising:

an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient; and a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer; wherein the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators to carry out one or more treatment programs.

6. The apparatus for muscle stimulation of claim 1 wherein the treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient.

7. The apparatus for muscle stimulation of claim 1 wherein a single operator can control two or more apparatuses from a single CPU/processing computer.

8. A method for stimulating specific muscles and/or muscle groups comprising the steps of:

- a. providing an apparatus for muscle stimulation comprising:
 - a platform with an upper surface and a lower surface; one or more pairs of cross rails mounted under the lower surface of the platform;
 - one or more sleds slidably mounted to each pair of cross rails;
 - a pair of sled rails mounted to each sled;
 - a bracket slidably mounted to each pair of sled rails;
 - a magnetic nerve/muscle stimulator mounted to each bracket which includes one or more magnets and one or more electrical coils;
 - wherein the magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the platform;
 - one or more actuators operationally associated with the bracket;
 - wherein the actuators move each bracket along the x-axis and y-axis beneath the platform along the cross rails and sled rails;
 - a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator;
 - a CPU/processing computer operationally associated with the control panel and the actuators;
 - one or more processors, a computer readable memory, and a computer readable storage medium operatively associated with the CPU/processing computer; and
 - a treatment module which includes programming instructions to execute one or more treatment programs, directing each bracket to specific coordinates beneath the platform and supplying each coil with an amount of power for a duration at a frequency
- b. positioning a patient on the upper surface of the platform;

c. moving and locating each bracket into a desired position under the platform and the patient using the CPU/processing computer;

d. engaging the treatment module and selecting one or more treatment programs to treat the patient;

e. executing the one or more treatment programs to engage the control panel to supply power to the magnetic nerve/muscle stimulator and generate a magnetic field with the magnetic nerve/muscle stimulator;

f. directing the magnetic field into the anatomy of the patient positioned on the upper surface of the platform for a desired length of time; and

g. repeating steps (c), (d), (e) and (f) until the patient's treatment is complete.

9. The method of claim 8 wherein the treatment module includes programs with programming instructions which are selected for each individual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations.

10. The method of claim 8 further including one or more cord cradles, wherein wires for the electrical coils are routed through the cord cradle to manage and protect the wires while the bracket is moved.

11. The method of claim 8 wherein the lower surface of the platform is recessed, and the magnetic nerve/muscle stimulator is located within the recessed area.

12. The method of claim 8 further comprising:

an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient; and a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer; wherein the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators to carry out one or more treatment programs.

13. The method of claim 8 wherein the treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient.

14. The method of claim 8 wherein a single operator can control two or more apparatuses from a single CPU/processing computer.

15. An apparatus for muscle stimulation comprising:

a chair including:

- a seat with an upper surface and a lower surface;
- a back engaged to the seat, the back having an upper surface and a lower surface;
- one or more arm supports engaged to the seat, the arm supports having an upper surface and a lower surface;
- one or more leg supports engaged to the seat, the leg supports having an upper surface and a lower surface;
- one or more pairs of cross rails mounted under the lower surface of the seat, back, arm supports, and/or leg supports;
- one or more sleds slidably mounted to each pair of cross rails;
- a pair of sled rails mounted to each sled;
- a bracket slidably mounted to each pair of sled rails;

a magnetic nerve/muscle stimulator mounted to each bracket which includes one or more magnets and one or more electrical coils;
 wherein each magnetic nerve/muscle stimulator generates and directs a magnetic field into the anatomy of a patient positioned on the upper surface of the seat, back, arm supports, and/or leg supports;
 one or more actuators operationally associated with each bracket;
 wherein the actuators move each bracket along the x-axis and y-axis beneath the chair along the cross rails and sled rails;
 a control panel operationally associated with the magnetic nerve/muscle stimulator, the control panel controlling the power supplied to the magnetic nerve/muscle stimulator;
 a CPU/processing computer operationally associated with the control panel and the actuators; and
 one or more processors, a computer readable memory, and a computer readable storage medium operatively associated with the CPU/processing computer; and
 a treatment module which includes programming instructions to execute one or more treatment programs, directing each bracket to specific coordinates beneath the chair elements and supplying each coil with an amount of power for a duration at a frequency.

16. The apparatus for muscle stimulation of claim 1 wherein the treatment module includes programs with programming instructions which are selected for each indi-

vidual patient based on factors such as selected treatment, prognosis, age, fitness level, treatment goals, physical limitations, and physiological limitations.

17. The apparatus for muscle stimulation of claim 1 wherein the lower surface of the chair is recessed, and the magnetic nerve/muscle stimulator is located within the recessed area.

18. The apparatus for muscle stimulation of claim 1 further comprising:

an optical scanner or pressure pad operationally associated with the control panel and the CPU/processing computer which are capable of detecting a patient; and
 a sensor module which includes programming instructions to detect the location of the patient's torso, head, arms and legs and relay sensor data to the CPU/processing computer;

wherein the sensor data is used by the treatment module to direct the one or more magnetic nerve/muscle stimulators to carry out one or more treatment programs.

19. The apparatus for muscle stimulation of claim 1 wherein the treatment module includes treatment programs which operate multiple magnetic nerve/muscle stimulators simultaneously to generate cross patterns of magnetic fields within a patient.

20. The apparatus for muscle stimulation of claim 1 wherein a single operator can control two or more apparatuses from a single CPU/processing computer.

* * * * *

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

BLAKE E. VANDE GARDE
 ERICKSON KERNELL IP, LLC
 8900 STATE LINE ROAD, SUITE 500
 LEAWOOD, KANSAS 66206

COMMUNICATION IN CASES FOR WHICH
 NO OTHER FORM IS APPLICABLE

Confirmation No: 7629

Date of mailing
 (day/month/year)

14 Sep 2021

Applicant's or agent's file reference

3120.2-2(PCT)

REPLY DUE

See paragraph 1 below

International application No.

PCT/US2020/063271

International filing date
 (day/month/year)

18 Feb 2021

Applicant

PAULUS, KENNETH

1. ☐ REPLY DUE within _____ months/days from the above date of mailing
- ☐ NO REPLY DUE, however, see below _____
- ☒ IMPORTANT COMMUNICATION
- ☐ INFORMATION ONLY

2. COMMUNICATION:

The RO/US mailed Forms PCT/RO/111 which incorrectly indicated that the earliest priority date is 18 FEB 2021 and 04 DEC 2021. Those Forms PCT/RO/111 mailed on 14 SEP 2021 are VACATED.

Name and mailing address of the receiving Office

Mail Stop PCT, Commissioner for Patents
 P.O. Box 1450, Alexandria, VA 22313-1450

Facsimile No. 571-273-8300

Authorized officer

Jeremy Fleming

Telephone No. 571-272-3284

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 302 and 314)

Date of mailing (day/month/year)		14 Sep 2021
Applicant's or agent's file reference 3120.2-2(PCT)		IMPORTANT NOTIFICATION
International application No. PCT/US2020/063271	International filing date (day/month/year) 18 Feb 2021	
Applicant PAULUS, KENNETH		

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

1. ☐ **Correction of priority claim** In accordance with the applicant's notice received on the following priority claim has been corrected to read as follows:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. ☐ **Addition of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. ☒ The priority claim is **considered void** (Rule 26bis.2(b)) because:
 - ☒ **at the expiration of the prescribed time limit under Rule 26bis.1(a)**, the receiving Office **had not received a notice** from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in Form PCT/RO/110.
 - ☐ the applicant's **notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a)**; and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - ☐ the applicant's **notice failed to correct the priority claim** so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).

Name and mailing address of the receiving Office Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. 571-273-8300	Authorized officer Jeremy Fleming Telephone No. 571-272-3284
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FORM PCT/RO/111

International application No.

PCT/US2020/063271

4. ☒ As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 **being considered void**, the (earliest) **priority date** is:

04 DEC 2021

5. ☐ The priority claim cannot be corrected/added since the applicant's notice was received on _____, that is, after expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request **will not be considered void**.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).

6. ☒ In the case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
Item (1)

7. A copy of this Notification has been sent to the International Bureau and
☐ to the International Searching Authority.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 302 and 314)

Date of mailing (day/month/year)		14 Sep 2021
Applicant's or agent's file reference 3120.2-2(PCT)		IMPORTANT NOTIFICATION
International application No. PCT/US2020/063271	International filing date (day/month/year) 18 Feb 2021	
Applicant PAULUS, KENNETH		

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

- ☐ **Correction of priority claim** In accordance with the applicant's notice received on the following priority claim has been corrected to read as follows:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
- ☐ **Addition of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
- ☒ The priority claim is **considered void** (Rule 26bis.2(b)) because:
 - ☒ **at the expiration of the prescribed time limit under Rule 26bis.1(a)**, the receiving Office **had not received a notice** from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in Form PCT/RO/110.
 - ☐ the applicant's **notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a)**; and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - ☐ the applicant's **notice failed to correct the priority claim** so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).

Name and mailing address of the receiving Office Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. 571-273-8300	Authorized officer Jeremy Fleming Telephone No. 571-272-3284
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FORM PCT/RO/111

International application No.

PCT/US2020/063271

4. ☒ As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 **being considered void**, the (earliest) **priority date** is:

18 FEB 2021

5. ☐ The priority claim cannot be corrected/added since the applicant's notice was received on _____, that is, after expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request **will not be considered void**.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).

6. ☒ In the case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
Item (1)

7. A copy of this Notification has been sent to the International Bureau and
☐ to the International Searching Authority.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KANSAS 66206

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 302 and 314)

Date of mailing (day/month/year)		14 Sep 2021
Applicant's or agent's file reference 3120.2-2(PCT)		IMPORTANT NOTIFICATION
International application No. PCT/US2020/063271	International filing date (day/month/year) 18 Feb 2021	
Applicant PAULUS, KENNETH		

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

1. ☐ **Correction of priority claim** In accordance with the applicant's notice received on the following priority claim has been corrected to read as follows:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. ☐ **Addition of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. ☒ The priority claim is **considered void** (Rule 26bis.2(b)) because:
 - ☒ **at the expiration of the prescribed time limit under Rule 26bis.1(a)**, the receiving Office **had not received a notice** from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in Form PCT/RO/110.
 - ☐ the applicant's **notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a)**; and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - ☐ the applicant's **notice failed to correct the priority claim** so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).

Name and mailing address of the receiving Office Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. 571-273-8300	Authorized officer Jeremy Fleming Telephone No. 571-272-3284
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FORM PCT/RO/111

International application No.

PCT/US2020/063271

4. ☒ As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 **being considered void**, the (earliest) **priority date** is:

04 DEC 2020

5. ☐ The priority claim cannot be corrected/added since the applicant's notice was received on _____, that is, after expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request **will not be considered void**.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).

6. ☒ In the case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
Item (1)

7. A copy of this Notification has been sent to the International Bureau and
☐ to the International Searching Authority.

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 402(c) and 409)

To:

VANDE GARDE, Blake, E.
Erickson Kernell IP, LLC
8900 State Line Road, Suite 500
Leawood, KS 66206
ÉTATS-UNIS D'AMÉRIQUE

Date of mailing (day/month/year) 16 September 2021 (16.09.2021)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 3120.2-2(PCT)	
International application No. PCT/US2020/063271	International filing date (day/month/year) 18 February 2021 (18.02.2021)
Applicant PAULUS, Kenneth	

The applicant is hereby **notified** of the following in respect of the priority claim identified as item () in Box No. VI of the request (Form PCT/RO/101).

1. ☐ **Correction of priority claim.** In accordance with the applicant's notice received on the following priority claim has been corrected to read as follows:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. ☐ **Addition of priority claim.** In accordance with the applicant's notice received on the following priority claim has been added:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. ☒ The priority claim is **considered void** (Rule 26bis.2(b)) because:
 - ☒ **at the expiration of the prescribed time limit under Rule 26bis.1(a)**, the International Bureau had **not received a notice** from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in the invitation (Form PCT/RO/110 or Form PCT/IB/316).
 - ☐ the applicant's **notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a)**; and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - ☐ the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Mafla Sergio e-mail pct.team9@wipo.int Telephone No. +41 22 338 74 09
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NOTIFICATION RELATING TO PRIORITY CLAIM

Date of mailing (day/month/year)

16 September 2021 (16.09.2021)

4. ☒ As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 **being considered void**, the (earliest) priority date is:

04 December 2020 (04.12.2020)

5. ☐ The priority claim cannot be corrected/added since the applicant's notice was received on , that is, after the expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request **will not be considered void**.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(II).

6. ☒ In the case where **multiple priorities** have been claimed, the above item(s) relate(s) to the following priority claim(s):

US 04 December 2019 (04.12.2019) 62/943,660

A copy of this Notification has been sent to the receiving Office and

- ☐ to the International Searching Authority (*where the international search report and the written opinion of the International Searching Authority have not yet been issued*).
- ☐ to the Authority(ies) specified for supplementary search (*where a request for supplementary search has been submitted and the supplementary international search report has not yet been issued*).
- ☐ to the International Preliminary Examining Authority (*where a demand for international preliminary examination has been made and the IPRP (Chapter II) has not yet been issued*).
- ☐ to the designated Offices (*in accordance with Rule 93bis*).



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BLAKE E. VANDE GARDE
ERICKSON KERNELL IP, LLC
8900 STATE LINE ROAD, SUITE 500
LEAWOOD, KS 66206

In re Application of PAULUS, KENNETH
PCT Application No.: PCT/US20/63271
Int. Filing Date: 18 February 2021
Priority Date Claimed: 04 December 2020
Attorney Docket No.: 3120.2-2(PCT)
For: MAGNETIC NERVE STIMULATOR

DECISION

This decision is issued in response to applicant's "Petition to The Director - Pursuant to Rule 37 CFR 1.181 - Petition to Vacate and Correct Priority Date" filed 31 May 2022.

BACKGROUND

On 04 December 2020, applicant filed a Request (Form PCT/RO/101), accompanied by, inter alia, description, claims and drawings.

On 18 December 2020, the Office mailed Notification of the International Application Number and of the International Filing Date (Form PCT/DO/EO/105) indicating that the application had a international filing date of 04 December 2020 and a priority date of 04 December 2019; Invitation to Correct Defects in the International Application (Form PCT/RO/106); Notification Regarding Certain Corrections Made Ex Officio (Form PCT/RO/146) indicating that changes were made to page 6 of the Request and including those changes and Invitation Relating to Certain Parts of the International Application That Are Or Appear To Be Missing (Form PCT/RO/107) indicating that Drawing Figures 21-25, referenced on page 6 and 7 of the description were not found.

On 18 February 2021, applicant filed "Request to Correct International Application" accompanied by figures 21-25.

On 08 April 2021, the Office mailed a second Notification of the International Application Number and Of the International Filing Date (Form PCT/RO/105) indicating that the international filing date was now 18 February 2021 and priority date was 04 December 2020; an Invitation to Correct Priority Claim and/or Notification of Possibility to Request Restoration of the Right of Priority (Form PCT/RO/110) indicating that the filing date of earlier application did not fall within the twelve months prior to the filing of the international application; and a Notification Concerning Later Submitted Parts of an International Application (Form PCT/RO/126) indicating that missing parts were received on 18 February 2021, within two months of the 18 December 2020 invitation. Accordingly, the international filing date was changed to 18 February 2021. The Notification further

indicated that if applicants desired that the Office disregard the later submitted part, applicant had to notify the Office within one month of the Notification, as set out in PCT Rule 20.5(e).

On 04 June 2021, applicant filed “Response to Notification Concerning Later Submitted Sheets Not for Incorporation by Reference and Notice of Decision Concerning Request for Rectification” which included substitute drawing sheets 1-12. It is noted that these sheets were not submitted within the time period set forth in the Notification Concerning Later Submitted Parts of an International Application (Form PCT/RO/126).

On 14 September 2021, the Office mailed three Notification Relating to Priority Claim (Form PCT/RO/111) which identified the earliest priority date as: 04 December 2020; 18 February 2021; and 04 December 2021. Additionally, the Office mailed “Communication in Cases for Which No Other Form is Applicable” (Form PCT/RO/132) which stated “The RO/US mailed Forms (PCT/RO/111) which incorrectly indicated that the earliest priority date is 18 February 2021 and 04 December 2021. Those Forms PCT/RO/111 mailed on 14 September 2021 are VACATED.”

On 16 September 2021, the International Bureau mailed Notification Relating to Priority Claim (PCT/IB/318) which identified the earliest priority date as 04 December 2020. The priority claim dated 04 December 2019 (62/943,660) was considered void.

On 31 May 2022, applicants filed “Petition to The Director - Pursuant to Rule 37 CFR 1.181 - Petition To Vacate And Correct Priority Date” considered herein. Applicant requests that “the new priority (*sic*) date of February 18, 2021 be vacated and the correct priority date of December 4, 2019 be restored and forwarded to the International Bureau and reflected on all documentation.”

DISCUSSION

37 CFR 1.181(f) states:

The mere filing of a petition will not stay any period for reply that may be running against the application, nor act as a stay of other proceedings. Any petition under this part not filed within two months of the mailing date of the action or notice from which relief is requested may be dismissed as untimely, except as otherwise provided.
This two-month period is not extendable. (Emphasis added.)

The petitioner brings before the Office a petition under 37 CFR §1.181 to review the Office mailed three Notification Relating to Priority Claim (Form PCT/RO/111) mailed 14 September 2021. The petitioner filed the petition on 31 May 2022. The action from which relief is requested is the Notification Relating to Priority Claim (Form PCT/RO/111) mailed 14 September 2021 which was mailed on 14 September 2021. Because the petition was filed over two months from the mailing date of the action from which relief is requested, the petition is dismissed as untimely under 37 CFR §1.181(f), which does not provide for an extension of the two-month time period.

For purposes of clarification, the international filing date for the above identified application is **18 February 2021** which claims the benefit of US nonprovisional application (17/111,833) dated **04 December 2020**.

The Form PCT/RO/107 mailed 18 December 2020, advised applicants that papers submitted after the international filing date, but within the two-month time period, other than those included through incorporation by reference, would result in correction of the international filing date to the date of the receipt of the later filed papers. The Form PCT/RO/107 further advised that papers received after twelve months from the priority date may result “not only in the international filing date being corrected, but also in the priority claim being considered void for the purposes of procedures under the PCT [...]”

Applicants submitted Figures 21-25 on 18 February 2021. Form PCT/RO/126 mailed 08 April 2021, indicated that missing sheet was received on 18 February 2021, within two months of the 18

December 2020 invitation. Accordingly, the international filing date was changed to 18 February 2021. Form PCT/RO/126 further indicated that if applicants desired that the Office disregard the later submitted part, applicant had to notify the Office within one month of the Notification, as set out in PCT Rule 20.5(e) or 20bis(e).

There is no evidence in the record that Form PCT/RO/126 was either erroneously mailed or not received. Nor is there any showing that a request that the sheets submitted on 18 February 2021 be disregarded was timely filed. Accordingly, it would not be appropriate to grant the requested relief.

CONCLUSION

The petition under 37 CFR §1.181 is **DISMISSED**.

Inquiries relating to this matter may be directed to the undersigned at (571) 272-3298.

/AnthonySmith/
ANTHONY SMITH
Attorney Advisor
International Patent Legal Administration
(571)272-3298

POWER OF ATTORNEY	PODER
Kenneth Paulus, domiciled at 1809 Browning Ave. (US), hereby appoints Ernesto Cavelier, with TPA 11.519, and/or Helena Camargo Williamson, with TPA 76985 and/or Jaime Herrera Rodriguez, with TPA No. 71.661, and/or Daniel Posse Velasquez, with TPA No. 42.529, and/or Marianne Posse Velasquez, with TPA No. 35.752 and/or Juan Guillermo Ruiz Hurtado, with TPA No. 40.066, and/or Francisco Urrutia Montoya, with TPA No. 27.321, and/or José Alejandro Torres Hernández, with TPA No. 75.372 and/or Alvaro José Rodriguez with TPA No. 79.711 (the "<u>Attorneys</u>"), domiciled at Cra. 7 No. 71-52 Torre A Of. 504 of Bogota D.C., Colombia, to jointly or separately, represent it before any person, administrative or judicial entities, arbitrator, mediator, court or board of arbitration or conciliation, or before any authority for the purpose of obtaining and maintaining the protection of its industrial property rights and acting in the defense of such rights, being empowered for such purpose to: 1. Apply for, follow the respective proceedings and obtain or register patents of invention, utility models, industrial designs, plant varieties, trademarks, slogans, names and signs and denominations of origin, and their renewal and extension, assignment thereof, registration of change of name and domicile, and of agreements and licenses thereon, and for registration of transfer of technology contracts; 2. Apply for protection of its copyrights, follow the respective proceedings, obtain, and register them, as well as protect its industrial secrets and know-how; 3. Apply for, follow the respective proceedings, and obtain health agricultural and veterinary registrations and permits for its products, and operating licenses, as well as renewals or extensions thereof, assignment of the same, registration of change of name or domicile, and registration of agreements and licenses in relation thereof;	Kenneth Paulus, con domicilio en 1809 Browning Ave. (US), por el presente otorga poder especial a Ernesto Cavelier, con TPA 11.519, y/o Helena Camargo Williamson, con TPA 76985 y/o Jaime Herrera Rodríguez, con TPA No. 71.661, y/o Daniel Posse Velásquez, con TPA No. 42.529, y/o Marianne Posse Velásquez, con TPA No. 35.752 y/o Juan Guillermo Ruiz Hurtado, con TPA No. 40.066, y/o Francisco Urrutia Montoya, con TPA No. 27.321, y/o José Alejandro Torres Hernández, con TPA No. 75.372 y/o Álvaro José Rodríguez con TPA No. 79.711 (los "<u>Apoderados</u>") con domicilio en la Cra. 7 No. 71-52 Torre A Of. 504 de Bogotá D.C., Colombia, para que, conjunta o separadamente, la representen ante cualquier entidad, autoridad o persona, especialmente ante las del orden administrativo, contencioso administrativo o judicial, y ante conciliadores, árbitros o tribunales de arbitramento, para obtener y mantener la protección de sus derechos de propiedad industrial y para actuar en defensa de tales derechos, facultándolos para: 1. Solicitar, tramitar y obtener o registrar patentes de invención, modelos de utilidad, diseños industriales, variedades vegetales, marcas, lemas, nombres y enseñas comerciales y denominaciones de origen, así como sus renovaciones y prórrogas, la cesión de los mismos, la anotación de cambios de nombre y domicilio, y el registro de acuerdos y licencias en relación con ellos y para solicitar el registro de contratos de transferencia de tecnología; 2. Solicitar, tramitar, obtener y registrar sus derechos de autor así como la protección de sus secretos industriales y know-how; 3. Solicitar, tramitar y obtener registros sanitarios, agrícolas y veterinarios para sus productos y permisos y licencias de funcionamiento, así como sus renovaciones o prórrogas, la cesión de los mismos, la anotación de cambios de nombre y domicilio, y el registro de acuerdos y licencias en relación con ellos;

4. File oppositions, observations, claims, reconsideration petitions, appeals, administrative or judicial cancellation actions, nullity actions, consumer protection actions, protection of industrial secrets and other actions related to rights derived from the above mentioned matters and against unfair competition and restraint of trade, actions related to obtaining or exploiting licenses, as well as intervention in civil, commercial, criminal, administrative contentious and police proceedings, all in relation to actions or proceedings initiated by the grantor or by third parties against or in relation to the grantor; 5. Conciliate, cancel, settle, compromise, desist, receive and take possession of the subject matter of litigation and renounce or desist rights granted or in the process of being granted, and admit the facts in legal proceedings; 6. Ratify or not the acts undertaken by a self-appointed agent; 7. Receive service of process and appoint attorneys, resign and substitute the present power of attorney and revoke the substitutions. 8. Grant powers of attorney to law firms abroad who represent the company in order to carry out all intellectual property proceedings required in each of the countries where the company may have an interest. The Attorneys are empowered to carry out all the acts required to finalize the tasks entrusted to them, as well as to receive, desist, substitute and reassume this power of attorney, settle, resign, and in general, for any other act in defense of the rights of the grantor. The grantor shall pay each and every one of the attorneys for the costs, claims, expenses and liabilities of any nature, incurred by each one of the attorneys in relation with this power of attorney and shall ratify and confirm all acts undertaken by the attorneys in relation with this	4. Ejercer acciones de oposición, observación, reclamo, reconsideración, reposición, apelación, cancelación administrativa o judicial, nulidad, protección al consumidor, concesión de licencias, protección de secretos industriales y demás acciones y recursos relacionados con derechos derivados de los asuntos arriba indicados y en contra de la competencia desleal y de las restricciones al comercio, acciones derivadas de la obtención o explotación de licencias, así como intervenir en juicios civiles, comerciales, penales, contencioso-administrativos y de policía, todo lo cual podrá darse en acciones o juicios promovidos por la otorgante o en su contra; 5. Conciliar, cancelar, transigir, comprometer, desistir, recibir y tomar posesión de la cosa objeto de litigio y renunciar o desistir a derechos concedidos o en curso de concesión, y admitir los hechos del proceso; 6. Ratificar o no la agencia oficiosa; 7. Recibir notificaciones y designar apoderados judiciales o extrajudiciales, renunciar y sustituir el presente poder y revocar las sustituciones que hicieren. 8. Otorgar poderes en nombre de la sociedad que representa a las firmas de abogados en el extranjero, para realizar los diferentes trámites de propiedad intelectual que se requieran en cada uno de los países en donde la sociedad tenga interés Los Apoderados quedan facultados para llevar a cabo todas las actuaciones que sean necesarias para llevar a buen término la tarea que les ha sido encomendada, así como para recibir, desistir, sustituir y reasumir este poder, transar, renunciar y en general, para cualquier otra actuación que tienda a defender los derechos de la compañía que represento. El otorgante pagará a cada uno de los apoderados por los costos, reclamaciones, gastos y obligaciones de cualquier naturaleza, en que incurra cada uno de ellos en relación con este poder y ratificará y confirmará los actos realizados por ellos en relación con este poder, excepto en los casos de incumplimiento, negligencia, o de actos
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power of attorney, except in the cases of default, negligence or acts carried out in contradiction to the express instructions of the grantor.

This power of attorney shall be ruled and interpreted by the laws of the Republic of Colombia, which govern it in its entirety.

Given and signed at Charlotte, NC today, the 18th of July of 2022.

llevados a cabo en contradicción con las expresas instrucciones del otorgante.

Este poder se regirá e interpretará de acuerdo con las leyes de la República de Colombia, la cual lo regula en su integridad.

Dado y firmado en _____, hoy, ____ de _____ de 2022.

Signature/Firma 



SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT: 800.176.089-2

COMPROBANTE DE RECAUDO SISTEMA SIPI

Radicado: NC2022/0007967
Recibo: 22-69783
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POSSE HERRERA
NI: 830.022.196
Pago PSE No: 707065
CUS: 1589885480

Patente PCT
ESTIMULADOR NERVIOSO MAGNÉTICO

Detalle del pago

Id.	Rentístico	Concepto y Servicio	Cant.	Val. Unit.	Subtotal
1	50005-01-02	Pago unitario reivindicacion adicional patente de invencion (A partir de de undí½cima reivindicacion) (DESCUENTO INTERNET)	10	\$ 44,500	\$ 445,000
TOTAL					\$ 445,000