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November 2, 1999

Mr. James J. Lin
DP DIRECTION INTERNATIONAL
PATENT & TRADEMARK OFFICE
P.O. Box 19-79
Taichung, Taiwan
R.O.C.

Re: Jung-Shih CHANG - USSN 09/215,213
BILLIARD CUE RESISTANT TO CURVATURE...
Your Ref.: PSR01PI049US
Our Ref.: CHANG=124

Dear Mr. Lin:

Enclosed herewith is a copy of the Examiner's October 25, 1999, Final Office Action on the above identified application.

As you will note, the Examiner has repeated his previous rejection. Accordingly, we have not further analyzed this rejection. If you wish us to do so, please advise.

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

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

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

(2) File a response <u>without</u> amending the claims to overcome the prior art but rebutting the prior art rejection.

(3) Refile the application as a continuation with new claims (if necessary) to distinguish the invention from the cited prior art.

(4) Abandon the application.

A shortened statutory period for response has been set to expire in three months, i.e., the last day of the term will be January 25, 2000, unless the term is extended upon petition and payment of an appropriate late fee. As usual in the case of final rejections, we recommend that if you wish to proceed, the response should be filed within only one month, namely by December 25, 1999. Since the Examiner is required to answer within ten days from a response, timely responses permit negotiating with the Examiner without incurring Government extension fees. In order to enable us to have sufficient time to prepare and file a response, we would appreciate receiving your instructions by

December 15, 1999.

We await hearing from you. Our debit note is attached.

Sincerely,

Norman J. Latker
Managing Attorney

Enclosures
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