

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MAGPUL INDUSTRIES CORP.	
Application No.: 14/461,229	Art Unit: 3641
Filed: 8/15/2014	Examiner: Stephen Johnson
Title: AMMUNITION MAGAZINE	
Attorney Docket No.: 1338.100.02US	

RESPONSE UNDER 37 CFR 1.111

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

Dear Commissioner:

In response to the Office Action of October 9, 2014, please amend this application as follows:

Amendments to the **Specification** begin on page 2.

Amendments to the **Drawings** begin on page 4.

Amendments to the **Claims** begin on page 5.

**Remarks** begin on page 10.

In the Specification:

Please amend paragraph [0001] as follows:

[0001] The present Application for Patent is a Continuation-in-Part of Patent Application No. 14/098,467, **now U.S. Patent No. 8,839,543**, entitled “Ammunition Magazine” filed December 5, 2013, which is a Continuation of Patent Application No. 13/307,431 entitled “Ammunition Magazine” filed November 30, 2011 and issued on January 28, 2014 as U.S. Pat. No. 8,635,796, which is a Continuation of prior filed U.S. application Ser. No. 12/354,766, filed Jan. 15, 2009 and issued on Dec. 6, 2011 as U.S. Pat. No. 8,069,601 which, in turn, is a Continuation-in-Part of prior filed U.S. application Ser. No. 11/958,274, filed on Dec. 17, 2007 issued on Mar. 22, 2011 as U.S. Pat. No. 7,908,780, which, in turn, claims priority to earlier filed U.S. Provisional Application No. 60/941,646, filed on Jun. 1, 2007. Each of these patents and applications are assigned to the assignee hereof and are hereby expressly incorporated by reference herein.

Please amend paragraph [0057] as follows:

[0057] With reference to FIG. 1, the magazine 1 generally comprises a body 10 having a floor end 13 and a feed end 17. **The magazine 1, can have fore and aft sides and two lateral sides longer than the fore and aft sides.** Feed lips 21 are provided at the feed end 17 to interface with a weapon and to guide cartridges into the firing chamber of said weapon. The floor end is capped with a floor plate 20 which is secured by a lock plate 25. A spring 35 rests against the lock plate 25, centered by walls 24 (see FIG. 6a), and floor plate 20 combination and provides tension to bias the follower 30 and the floor plate 20 so that the follower 30 will progress up the magazine body 10 as ammunition is used. Floor plate 20 slides over a rim 23 of the floor end 13, using a ledge to interface with the rim, and simultaneously over the lock plate 25. The floor plate 20 and lock plate 25 interface together with a tab 26 on the lock plate resting within a slot 27 of the floor plate (shown in FIGS. 6-6c), so, with the floor plate 20 holding the magazine 1 and the

lock plate 25 holding the floor plate 20 laterally, as it is forced against the floor plate 20 by the spring, the floor plate 20 does not slide off the magazine 1. A protective impact cover 40 is also provided for use during storage. Magazine 1 also features two indicator windows 15 to view the spring. An indicator, which could be as simple as a colored dot or a dab of properly placed paint, is positioned on the spring and is viewable through the windows when the magazine 1 is assembled. Ideally, the windows 15 are positioned on either side of the magazine body 10 and are close enough to the floor end so that they are not obscured when the magazine 1 is inserted in a weapon's magazine well. FIGS. 2-4 provide views of the magazine 1 assembled, FIG. 4 without the impact cover 40.

Please amend paragraph [0059] as follows:

**[0059]** As shown in FIGS. 9-9e, the follower 30 has two tines, a forward tine 33 and hind tine 37. Both tines are elongated and extending from platform 34. The forward tine 33 presses against the ridge 19 and prevents axial movement, particularly those movements caused by the simple act of firing the weapon, which would push the rear of the ammunition (and the follower 30) down. The hind tine 37 fits into trough 11 (FIG. 7) to prevent lateral movement. The extension of the tines greatly inhibits axial and lateral movement as the extension increases contact with the magazine body and provides more counter-torque when forces would cause such movement. The follower also has two lateral arms 36 that fit alongside of the guide rails 31 to further inhibit rotation. The follower 30 interfaces with spring 35 by attachment of the spring 35 to loop 38 and retention of the spring 35 by retaining wall 32. In some embodiments, the hind tine 37 can be excluded and the interaction of the lateral arms 36 and the guide rails 31 can be a primary inhibitor of rotation of the follower. In other embodiments, the one or more tines 33, 37 can be split via a vertical separation or gap **(G)** ~~(not illustrated)~~.

Amendments to the Drawings

Submitted herewith are the following:

1 sheet of Replacement drawings for sheet 6/16.

In the claims:

1. (Currently Amended) An ammunition magazine comprising:
  - a casing with fore and aft sides and two lateral sides longer than the fore and aft sides and first and second open ends, the casing further comprising a ridge, centrally located on an interior side of the fore side;
  - a follower residing within the casing, said follower further comprising a follower platform with one or more tines, one of the one or more tines being at least at a fore position that extends generally perpendicularly therefrom, the one of the one or more tines having a front face that presses against the ridge to help prevent forward linear and axial tilt of the follower, wherein the one or more tines limit rotation of the follower within the casing;
  - a floor plate coupled to the casing at the second open end;
  - a follower spring residing between the follower and floor plate; and
  - a stop tab, projecting internally from or near the ridge terminus and generally perpendicularly from the ridge, and a groove serving as a detent, situated in the follower platform to interface with the stop tab, thereby preventing the follower from exiting the magazine through the first end.
2. (Original) The ammunition magazine of Claim 1, wherein the casing further comprises a constant internal curve initiating at the second open end and continuing through a majority of the casing of the magazine.
3. (Original) The ammunition magazine of Claim 1, wherein the follower comprises a second tine at an aft position of the follower that extends generally perpendicularly therefrom.
4. (Original) The ammunition magazine of Claim 1, wherein the casing further comprises two guide rails situated opposite each other along the lateral sides of an interior of the

casing, the two guide rails contacting the follower to act as a guide for the follower to inhibit rotation of the follower.

5. (Original) The ammunition magazine of Claim 1, wherein one or more of the one or more tines is split into two regions via a vertical gap arranged at a center of the tine.

6. (Currently Amended) An ammunition magazine comprising:  
a casing with fore and aft sides and two lateral sides longer than the fore and aft sides and first and second open ends, the casing further comprising a ridge, centrally located on an interior side of the fore side, and the casing further comprising a constant internal curve initiating at the second open end and continuing through a majority of the casing of the magazine;

a follower residing within the casing, said follower further comprising a follower platform with one or more tines, one of the one or more tines being at least at a fore position that extends generally perpendicularly therefrom, the one of the one or more tines having a front face that presses against the ridge to help prevent forward linear and axial tilt of the follower, wherein the one or more tines limit rotation of the follower within the casing;

a floor plate coupled to the casing at the second open end; and

a follower spring residing between the follower and floor plate.

7. (Original) The ammunition magazine of Claim 6, further comprising a stop tab, projecting internally from or near the ridge terminus and generally perpendicularly from the ridge, and a groove serving as a detent, situated in the follower platform to interface with the stop tab, thereby preventing the follower from exiting the magazine through the first end.

8. (Original) The ammunition magazine of Claim 6, wherein the follower comprises a second tine at an aft position of the follower that extends generally perpendicularly therefrom.

9. (Original) The ammunition magazine of Claim 6, wherein the casing further comprises two guide rails situated opposite each other along the lateral sides of an interior of the

casing, the two guide rails contacting the follower to act as a guide for the follower to inhibit rotation of the follower.

10. (Original) The ammunition magazine of Claim 6, wherein one or more of the one or more tines is split into two regions via a vertical gap arranged at a center of the tine.

11. (Currently Amended) An ammunition magazine comprising:

a casing with fore and aft sides and two lateral sides longer than the fore and aft sides and first and second open ends, the casing further comprising a ridge, centrally located on an interior side of the fore side, the casing further comprising guide rails running along an insides of the two longer lateral sides;

a follower residing within the casing, said follower further comprising a follower platform with one or more tines, one of the one or more tines being at least at a fore position that extends generally perpendicularly therefrom, the one of the one or more tines having a front face that presses against the ridge to help prevent forward linear and axial tilt of the follower, wherein the one or more tines limit rotation of the follower within the casing, the two guide rails contacting the follower to act as a guide for the follower;

a follower residing within the casing, said follower further comprising one or more tines at least at a fore position that extends generally perpendicularly therefrom, and wherein at least one of the one or more tines is shaped to interface with the guide rails to inhibit rotation of the follower;

a floor plate coupled to the casing at the second open end; and

a follower spring residing between the follower and floor plate.

12. (Original) The ammunition magazine of Claim 11, further comprising a stop tab, projecting internally from or near the ridge terminus and generally perpendicularly from the ridge, and a groove serving as a detent, situated in the follower platform to interface with the stop tab, thereby preventing the follower from exiting the magazine through the first end.

13. (Original) The ammunition magazine of Claim 11, wherein the casing further comprises a constant internal curve initiating at the second open end and continuing through a majority of the casing of the magazine.

14. (Original) The ammunition magazine of Claim 11, wherein the follower comprises a second tine at an aft position of the follower that extends generally perpendicularly therefrom.

15. (Original) The ammunition magazine of Claim 11, wherein one or more of the one or more tines is split into two regions via a vertical gap arranged at a center of the tine.

16. (Currently Amended) An ammunition magazine comprising:

a casing with fore and aft sides and two longer lateral sides longer than the fore and aft sides and first and second open ends, the casing further comprising guide rails running along the insides of the longer lateral sides, the casing further comprising a constant internal curve initiating at the second open end and continuing through a majority of the casing of the magazine, the casing further comprising a stop tab projecting internally from a front of the casing;

a follower residing within the casing, said follower further comprising one or more tines, one of the one or more tines being at least at a fore position that extends generally perpendicularly therefrom, the two guide rails contacting the follower to act as a guide for the follower, the follower configured to interface with the stop tab;

a floor plate coupled to the casing at the second open end; and

a follower spring residing between the follower and floor plate.

17. (Original) The ammunition magazine of Claim 16, wherein the guide rails interface with the follower to inhibit rotation of the follower relative to the casing.

18. (Currently Amended) The ammunition magazine of Claim 16, further comprising ~~a stop tab, projecting internally from or near the a ridge, terminus and generally perpendicularly~~



from the ridge, and a groove serving as a detent[[,]] situated in the follower platform to interface with the stop tab, thereby preventing the follower from exiting the magazine through the first end.

19. (Original) The ammunition magazine of Claim 16, wherein the follower comprises a second tine at an aft position of the follower that extends generally perpendicularly therefrom.

20. (Original) The ammunition magazine of Claim 16, wherein one or more of the one or more tines is split into two regions via a vertical gap arranged at a center of the tine.

REMARKS

Prior to this amendment, claims 1-20 were present for examination. Claims 1, 6, 11, 16, and 18 are amended. No claims have been added or cancelled. Therefore, claims 1-20 are pending in the application. Reconsideration and further examination is respectfully requested. Applicant respectfully submits that no new matter is added by these amendments.

*Summary of Examiner Interview*

Applicant thanks Examiner Johnson for taking time to discuss this application with Applicant's attorney via telephone on December 5, 2014. During that Interview, the parties discussed proposed claim amendments as well as the Examiner's suggestions for overcoming the objections to the specification and drawings as well as means to overcome the 112 rejections. In particular, the Examiner suggested adding a figure reference for (G) to some of FIGs. 9-9e and amending paragraph [0059] in the specification to refer to the "vertical separation or gap **(G)**." The Examiner also suggested that the proposed amendments traversed a number of the 112 rejections and the objections to the figures and specification.

The Examiner also indicated that the proposed amendments would traverse the 102 rejection based on Alzamora.

The Examiner also stated that there had been a mistake and that no change to paragraph [0001] of the specification is required.

*Objections to the Specification*

Paragraph [0001] has been amended to include the patent number of application number 14/098,467. Although the Examiner stated that a mistake had been made and that no patent number had issued in this case, after double checking the record, Applicant respectfully notes

that this application issued as US 8,839,543 on September 23, 2014. However, if Applicant is mistaken, then Applicant will again take the Examiner's suggestions into consideration.

On page 3 of the Office Action, the Specification is objected to for failing to provide proper antecedent basis for the claimed subject matter, in particular relative to Claim 20. In the Interview, the Examiner stated that support *did* exist for the objected to limitation, and therefore this aspect of the rejection was not applicable.

Also on page 3, and relative to the claim language, "two lateral sides longer than the fore and aft sides," the Examiner indicated that adding such language to the specification would overcome this part of the objection to the specification. Applicant has amended paragraph [0057] of the specification, as seen on page 2 of this document per the Examiner's suggestion, and therefore this objection can be withdrawn.

Applicant respectfully submits that no new matter is added by these amendments.

#### ***Objections to the Drawings***

The Drawings are objected to under 37 C.F.R. §1.83(a), for failing to show every feature of the invention specified in the claims.

Corrected Drawings in compliance with 37 C.F.R §1.121(d) are submitted herewith. Specifically, Figures 9a and 9b have been amended to show vertical gap (G). Applicant respectfully submits that no new matter is added by these amendments, especially since this feature was described in paragraph [0059] as originally filed. With these amendments, the drawings are believed to traverse the objection as the Examiner suggested in the Interview.

#### ***Claim Rejections Under 35 U.S.C. §112***

Claims 1-20 stand rejected under 35 U.S.C. §112(a) for failing to comply with the written description requirement.

Claims 1-20 stand rejected under 35 U.S.C. §112(a) for failing to comply with the enablement requirement. The aforementioned amendments to the specification, figures, and claims were indicated to traverse this rejection in the Interview, and withdrawal thereof is respectfully requested.

Claim 18 stands rejected under 35 U.S.C. §112(b) for failing to particularly point out and distinctly claim the subject matter which the inventors regard as the invention. The aforementioned amendments to the claims were indicated as traversing this rejection in the Interview, and withdrawal thereof is respectfully requested.

***Claim Rejections Under 35 U.S.C. §102***

Claims 16, 17, 19 and 20 stand rejected under 35 U.S.C. §102(e) for being anticipated by U.S. Patent No. 7,533,483 (“Alzamora”). As discussed in the Examiner Interview, the amended Claim 16, which includes the limitations of Claim 18, traverses the 102 rejection of Alzamora. As such, withdrawal of the instant rejection is respectfully requested. Further, Claims 17, 19, and 20 depend from Claim 16, and in light of the amendment to Claim 16, these claims are also believed to be allowable over Alzamora.

Claims 1-15 and 18 have not been rejected under 102 and are therefore believed to be in condition for allowance, and allowance thereof is respectfully requested.

CONCLUSION

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Stephen S. Gruber, Applicant's Attorney at 720-536-4900 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

December 11, 2014  
Date

/Stephen S. Gruber/  
Stephen S. Gruber  
Attorney for Applicant  
Reg. No. 63411

Stephen S. Gruber  
Attorney at Law  
Neugeboren O'Dowd PC  
1227 Spruce Street  
Suite 200  
Boulder, CO 80302  
Tel.: 720-536-4900

SSG/sbrock