

**IN THE CANADIAN INTELLECTUAL PROPERTY OFFICE
RESPONSE TO INTERNATIONAL SEARCH REPORT**

Date: June 15 2018

In Re: New Canadian PCT Patent Application

Number: PCT/CA2018/050271

Filed: March 7, 2018

Title: POWER OPERATED LOCKING SYSTEM EARTH MOVING EQUIPMENT AND METHOD

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International Search Report mailing date: June 5, 2018

Deadline: August 5, 2018

**The Commissioner of Patents, PCT Receiving Office
Ottawa/Hull, Canada K1A 0E1**

Dear Ms. Lord:

This is in response to the above noted International Search Report.

Kindly revise the claims by replacing the claims on file with the claims shown in the attached Claims List.

REMARKS.

Claim Wording.

The claims have been revised as to claim wording to adopt the claim wording suggestions indicated in the ISR. It is hoped that they are now satisfactory.

Novelty.

Claims 1 to 7 are deemed novel.

Claim 8 is objected to. These objections are based on the Thomas reference. It is respectfully submitted that Thomas is unrelated art. It is also respectfully submitted that Thomas discloses a single interlock between two sections of a down hole drilling rig. There

is no disclosure relating to earth moving shovels, or to teeth on the shovel lip, or to the replacement or locking of those teeth in position on various spaced apart tooth supports. In Claim 8, reference is made to the fact that the tooth itself defines a hollow interior which can be slid over the tooth support. Once it is slid over the tooth support, the interior tooth lock is then operated by a remote wireless signal. The signals are coded for each individual tooth lock.

These features are totally different from what is shown in Thomas. In Thomas there is no tooth which is removable or can be slid over a tooth support and can then be locked in this position by the operation of an internal lock system operated by a remote coded wireless signal.

However, Claim 8 has been revised so as to further define the subject matter. It is believed that re-written Claim 8 clearly defines over Thomas, and any combination of Thomas with Jones.

Claims Clarity.

The various observations with regarding to clarity are now dealt with.

The wording "tool bit" and "tool bit mount" has been changed to "tooth bit" and "tooth bit mount" throughout.

Claims 7 and 15.

The double inclusion of the wording has been revised.

Claim 8.

The double inclusion of "tool bit mount" has been revised, and words "tooth bit mount" are used in its place.

It is said that the wording of Claim 8 is broader than the invention. The reason being that the invention is described as being used in relation to a ground engaging shovel. A ground engaging shovel would certainly be included in the generic description "ground engaging system". It is believed that the Applicant is entitled to claim invention as broadly as the prior art is. In the case of the present invention there is no prior art relating to ground engaging systems in which there are multiple teeth on multiple individual tooth mounts, and separate individual tooth locks contained within the individual tooth mount and tooth lock.

It is believed therefor that the term "ground engaging system" is fully based on the disclosure and is not excessive.

Claim 11 is revised to correct the ambiguity.

Claim 16 is revised so as to incorporate the subject matter of Claim 17.

Obviousness. Inventive Step.

Various claims are objected to as been obvious in view of the combination between Thomas and 3 other patents. The 3 other patents relate specifically to excavator shovel teeth. In none of them is there an internal lock, inside the tooth, and the tooth support, which lock can be operated by an individual coded wireless signal from a remote controller. In this respectful submission to suggest that the reference in Thomas to the use of a remote wireless control, to control item 520, it is too far fetched. No person skilled in the art would be searching for such a combination, and it would be unlikely that he would find it in Thomas which is unrelated art.

However, the claims have been revised in various respects to distinguish over the proposed combination of references.

Industrial utility.

There are no objections based on this heading.


It is believed that subject to the various changes now made, the claims clearly define over the various references, and deal with the various objections. All of the claims relate to industrial utility.

In making these amendments, old Claim 16 was moved into Claim 15, and Claim 15 is now the sole claim to the method. Claim 13 appeared to be a duplication, and has simply been cancelled. The total number of claims on file now is 15.

Reconsideration and allowance are now believed warranted in view of the foregoing.

Yours respectfully,
Craig E. HARDER, Paul D. WEBER

Per:


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