



April 26, 2017

To,
The Controller of Patents,
The Patent Office,
Chennai.

Kind Attention: Mr. Vijay singh

(Controller of Patents)

Re: Indian Patent Application No.: **2845/CHENP/2010**

Applicant: **CORVENTIS INC.**

Our Ref. No.: **00058.003IN1/4056.008INWO**

Respected Sir,

We write with reference to the **First Examination Report** (FER) of October 28, 2016, enclosing First Examination report. Referring to the above letter, the Applicant's submissions to the objections raised in the letter are as follows:

Applicant respectfully submits that the as filed claims 1-20, 27-32, 34-37 and 40 have been deleted. Claims 21, 23-26, 33, 38, 39 and 41-42 have been amended. Further, new claims 43-46 have been added along and claims are renumbered accordingly. Therefore, claims 1-15 are currently pending to grant.

INVENTIVE STEP

The Controller has alleged that the claims 1-42 lacks inventive step over the below mentioned documents.

D1: US 20070208262

D2: US 20070142732

The present set of amended claims 1-15 replaces the original claims 1-43. The independent claim 1 (previous claim 21) has been amended to clarify differences between the claimed invention and the prior arts. In particular, independent claim 1 has been amended to recite, wherein the processor system is configured to "*calculate a hydration measurement based on the measured impedance and corrects the calculated hydration measurements*

based on the measured skin temperature of the patient, wherein the processor system utilizes the corrected hydration measurement to detect the impending cardiac decompensation of the patient.”

This is in contrast with the D1 and D2 references, neither of which teaches or suggests utilizing a measured skin temperature to correct the measured hydration measurement. For example, the **D1 reference teaches measuring a patient’s body temperature** (See, for example, paragraph [0034]), but does not utilize the measured temperature for any purpose other than display. In particular, the **D1 reference does not teach and/or suggest utilizing the measured temperature to correct the calculated hydration measurement**.

Similarly, the D2 reference does not cure this deficiency. While the **D2 reference also describes the monitoring of patient temperature** (See, for example, paragraphs [0048] and [0061]), the **D2 reference does not teach and/or suggest utilizing the measured temperature to correct the calculated hydration measurement**.

Thus, Neither D1 nor D2 reference teaches or suggest “calculate a hydration measurement based on the measured impedance and corrects the calculated hydration measurements based on the measured skin temperature of the patient” as recited in amended independent claim 1. Therefore, the invention as defined in the amended independent claim 1 involves an inventive step. The invention as defined in the dependent claims involves an inventive step at least due to their dependency on claim 1.

NON-PATENTABILITY:

The Controller has alleged that the subject-matter of claims 1-20 are considered to be non-allowable under section 3(i) of The Patents Act,1970 as they describe the method of detecting an impending cardiac decompensation of a patient.

The Applicant has cancelled the as filed method claims (1-20) from the present invention. Therefore, the learned Controller is requested to waive this objection.

OTHERS REQUIREMENTS:

As directed by the Learned Controller in the FER, the Applicant respectfully submits a copy of amended claims in which the term “further comprising” is suitably amended for clarity. Further, the amended claims are provided with all reference signs placed in



parentheses to increase the intelligibility of the claims. Therefore, the learned Controller is requested to take the same on record and waive these objections.

FORMAL REQUIREMENTS

FORM 3:

As directed by the learned Controller in the FER, the Applicant herewith submits details of corresponding foreign applications on Form 3 with necessary petition under Rule 137 (irregularity in furnishing details of corresponding applications) along with the prescribed fee. Further, a copy of US (9,320,443 B2, 8,790,257 B2 & 9,125,566 B2) granted patents and EP Examination report is submitted along with this response. Therefore, the learned Controller is requested to waive this objection.

POWER OF ATTORNEY:

As directed by learned Controller in the FER, the Applicant submits a copy of General Power of Attorney (GPA) which is duly attested by the authorized Patent Agent and certificate copy of the same with reference that "the original GPA was submitted in Chennai Patent Office along with the patent application number 2842/CHENP/2010", with this response. Therefore, the Controller is requested to waive this objection.

COMPLETE SPECIFICATION:

As directed by the Learned Controller in the FER, the Applicant herewith submits Complete Specification with date mentioned at the end of the claims. Further, the Applicant herewith submits fresh claims which are now prefaced with "we claim". Therefore, the Controller is requested to take the same on record and waive these objections.

OTHER DEFICIENCIES:

As directed by learned Controller in the FER, the Applicant herewith submits fresh form 5 which is duly attested by the authorized Patent Agent. The Controller is requested to take the same on record and waive this objection.

In view of the above submission, the Applicant humbly requests the Learned Controller to waive these objections and allow the application to proceed for grant before the expiry of due date i.e. **April 28, 2017**.



GLOBAL IP SERVICES

PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

In case there is any adverse decision by Learned Controller, the Applicant requests for an opportunity of being heard before the final disposal of the application.

Yours sincerely,

A.N.V. Pradeep Kumar

N. V. Pradeep Kumar Alanki
Of Global IP Services
Registration Number: IN/PA-1543

Enclosed:

1. Fresh Form 1
2. Fresh Form 2
3. Fresh Form 3
4. Fresh Form 5
5. Fresh Form 13
6. Copy of GPA which is duly attested by the authorized Patent Agent
7. Petition under Rule 137 for irregularity in furnishing details of corresponding applications to patent office
8. Mark-up copy of the amended claims
9. Copy of granted patents US (9,320,443 B2, 8,790,257 B2 & 9,125,566 B2) and EP examination report