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PROVISIONAL APPLICATION FOR PATENT COVER SHEET - Page 1 of 2
 This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No. _____

INVENTOR(S)		
Given Name (first and middle (if any))	Family Name or Surname	Residence (City and either State or Foreign Country)
WALTER BROWN	HERBST	[REDACTED], IL
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Additional inventors are being named on the _____ separately numbered sheets attached hereto		
TITLE OF THE INVENTION (500 characters max):		
FOAM BASED STATURE ENHANCER		
Direct all correspondence to: CORRESPONDENCE ADDRESS		
<input type="checkbox"/> The address corresponding to Customer Number: _____ OR		
<input checked="" type="checkbox"/> Firm or Individual Name WALTER HERBST		
Address _____		
City _____	State _____	Zip _____
Country _____	Telephone _____	Email _____
ENCLOSED APPLICATION PARTS (check all that apply)		
<input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 <input type="checkbox"/> CD(s), Number of CDs _____		
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets <u>1</u> <input type="checkbox"/> Other (specify) _____		
<input checked="" type="checkbox"/> Specification (e.g. description of the invention) Number of Pages <u>1</u>		
Fees Due: Filing Fee of \$200 (\$100 for small entity). If the specification and drawings exceed 100 sheets of paper, an application size fee is also due, which is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).		
METHOD OF PAYMENT OF THE FILING FEE AND APPLICATION SIZE FEE FOR THIS PROVISIONAL APPLICATION FOR PATENT		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> A check or money order is enclosed to cover the filing fee and application size fee (if applicable).		
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached		
<input type="checkbox"/> The Director is hereby authorized to charge the filing fee and application size fee (if applicable) or credit any overpayment to Deposit Account Number: _____		
TOTAL FEE AMOUNT (\$) \$100 -		
A duplicative copy of this form is enclosed for fee processing.		

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PROVISIONAL APPLICATION COVER SHEET
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PTO/SB/16 (07-08)

Approved for use through 01/31/2007. OMB 0651-0032
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The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

No.
 Yes, the name of the U.S. Government agency and the Government contract number are: _____

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SIGNATURE _____ Date 12/19/06

TYPED or PRINTED NAME WALTER BROWN HERBST REGISTRATION NO. _____
(if appropriate)

TELEPHONE _____ Docket Number: _____

Foam Based Stature Enhancer

The foam based stature enhancer is designed to aid those that are of a physical stature that they require additional height to compensate for sitting activities in theater's or sporting event's etc; where added height may be required for adequate viewing. Additionally a foam based stature enhancer could add to the experience when dining, either alone or with others.

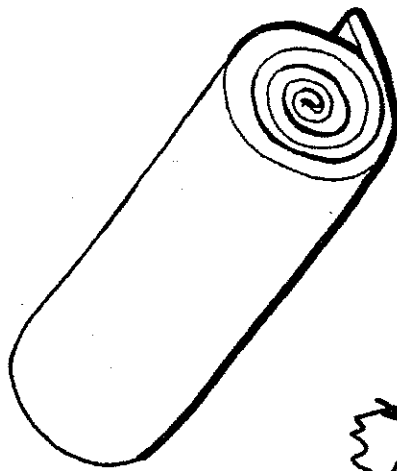
Additionally the device needs to be transportable and easily adaptable for conversion from the compact transportable form to the usage form.

The foam based unit is described as follows:

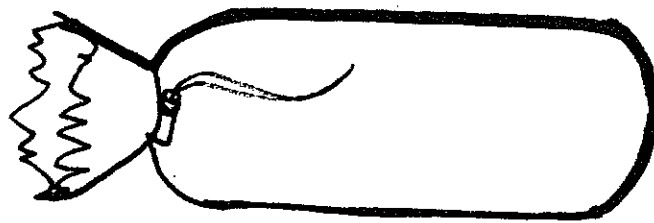
1. A pad device using a commercially available foam based product that could be commercially available and similar or identical to a urethane foam. The foam base material is covered in a non breathable fabric.
2. The above pad device may be configured in 1 or more defined panels. Each of the panels is appropriately sized to be placed on a seat. In any contiguous, and/or connected format the panels may be stacked, thus raising the height of the finished unit by the "stacked" height of the 2nd, 3rd, or any additional panels. While the individual panels do not have to be contiguous by virtue of the fabric covering, the ease of use appears to be greater with connected panels.
3. The device also contains a valve. During compression of the foam, air is allowed to escape from the cellular structure of the foam. The closing of the valve assures air will not reenter the foam thus assuring the padding retains its' compressed nature. The compressed nature assures a minimal size of the unit during storage and transport.
4. If the sectionalized device is covered with one contiguous breathable fabric then only 1 valve is required to allow both the air to escape and acts as an intake for air to "inflate" the foam to its' natural state.

What is claimed is:

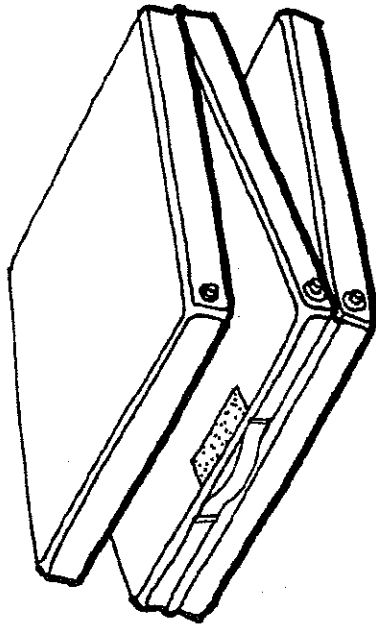
1. A singular panel, generally sized to a standard seat dimension, that consists of a combination of a foam or foam like material covered with a non-breathable fabric, and used for the sole purpose of elevating the user. The foam / fabric combination includes a valve that allows air to escape thus minimizing the dimension of the foam in its' normal state.
2. A singular panel as in claim 1, that is in combination with additional panels, thus allowing for "stacking" of the panels, by folding the additional lengths to areas that are comparable in size to the area of the initial foam seat.



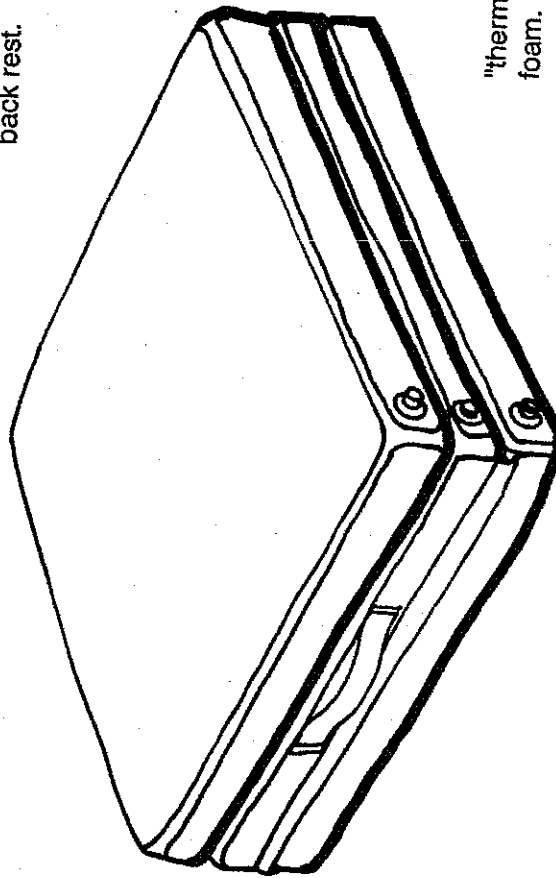
roll up with valves open to deflate



carry bag



height can be adjusted by amount of inflation or by using one pad as a back rest.



fully inflated stature enhancer

"thermarest" style expanding foam.

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Credit Card Payment Form

(Do not submit this form electronically via EFS-Web)
 Please Read Instructions before Completing this Form

Credit Card Information

Credit Card Type: Visa MasterCard American Express Discover

Credit Card Account #: [REDACTED]

Credit Card Expiration Date: [REDACTED]

Name as it Appears on Credit Card: WALTER B. HERBST

Payment Amount: \$ (US Dollars): 100 -

Cardholder Signature: [REDACTED] Date: 1/15/06

Refund Policy: The USPTO may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The USPTO will not refund amounts of \$25.00 or less unless a refund is specifically requested and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.

Service Charge: There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21 (m)).

Credit Card Billing Address

Street Address 1: [REDACTED]

Street Address 2:

City: [REDACTED]

State/Province: IL

Zip/Postal Code: [REDACTED]

Country: USA

Daytime Phone #: [REDACTED]

Fax #: [REDACTED]

Request and Payment Information

Description of Request and Payment Information:

<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No.	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No.		Identify or Describe Mark	

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