

EXHIBIT K

12/692,080
Group Art Unit 3762
Examiner Catherine M. Voorhees

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roger J. Quay Serial No.: 12/692,080
Filed: January 22, 2010 Art Unit: 3762
Examiner: Catherine M. Voorhees Confirmation No. 1077
Docket No.: 00125/005001
Title: METHOD AND APPARATUS FOR EXERCISE MONITORING
COMBINING EXERCISE MONITORING AND VISUAL DATA WITH
WIRELESS INTERNET CONNECTIVITY

Via EFS Web
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P.O. Box 1450
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Dear Sir:

RESPONSE TO NON-FINAL OFFICE ACTION

This is in response to the non-final Office Action mailed May 22, 2012, having a shortened statutory deadline of August 22, 2012, This paper is filed with a Petition for a Two-Month Extension of Time and is thus timely filed.

Any fees deemed to be due, or credit for any overpayment for this application, should be directed to Deposit Account Number 50-1047 and authorization is hereby given to charge such account.

Amendments to the Specification begin on page 2.

Amendments to the Claims begin on page 3.

Remarks begin on page 10.

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In The Specification:

Please amend paragraph [0001] as follows:

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation-in-part of U.S. Patent Application Ser. No. 11/649,355, filed January 3, 2007, entitled "Method and Apparatus For Health and Disease Management Combining Patient Data Monitoring With Wireless Internet Connectivity," now abandoned, which is a continuation of U.S. Patent Application Ser. No. 11/156,177, filed June 17, 2005, entitled "Method and Apparatus For Health and Disease Management Combining Patient Data Monitoring With Wireless Internet Connectivity," now U.S. Pat. No. 7,156,809, which is a continuation-in-part of U.S. Patent Application Ser. No. 10/773,501, filed Feb. 6, 2004, now U.S. Patent No. 6,976,958, the entirety of each prior application being incorporated by reference herein.

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IN THE CLAIMS:

1. (Currently Amended) A wireless internet system for monitoring exercise or fitness, connected in wireless communication with a network, comprising:

a wireless internet device including a camera, a first port and a second port, the first port for receiving an exercise parameter, wherein the exercise parameter is physiological data related to exercise or data related to the amount of exercise performed, and the second port for communicating with an internet server, at least a portion of a communication path being wireless; and

a non-transitory computer-readable medium within the wireless internet device, the computer-readable medium having instructions stored thereon for performing a method for monitoring exercise, nutrition, or fitness, the method comprising steps of:

accepting the exercise parameter via the first port;
accepting visual data captured by the camera; and
transmitting data corresponding to the accepted exercise parameter and the visual data to the internet server via the second port,
wherein the transmitting is performed wirelessly along at least a least a portion of a communication path.

2. (Currently Amended) The system of claim 1 where the wireless transmitting employs a protocol selected from the group comprising ~~consisting of~~: a variety of cellular protocols, a variety of 802.11 protocols, 802.15 protocols, 802.16 protocols, 802.20 protocols, ultrawideband protocols, wireless universal serial bus protocols, VOIP protocols, broadband wireless protocols, or satellite communication protocols.

3. (Original) The system of claim 1, wherein the wireless internet device is a web-enabled mobile phone.

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4. (Currently Amended) The system of claim 1, wherein the ~~digital~~ camera is integral with the wireless internet device.
5. (Currently Amended) The system of claim 1, wherein the ~~digital~~ camera is connected to the wireless internet device via a wired or wireless connection.
6. (Currently Amended) The system of claim 1, wherein the first port is adapted to receive the exercise parameter ~~is received~~ from a sensor coupled to an exercise monitor, and wherein the exercise monitor is selected from the group comprising ~~consisting of~~: a heart rate monitor, a respiration rate monitor, a blood pressure monitor, an accelerometer, a pedometer, a GPS device, a body weight scale, a body fat gauge, a biofeedback device, a treadmill, a rowing machine, an exercise bicycle, a stepper, other exercise equipment, and combinations thereof.
7. (Currently Amended) The system of claim 1, further comprising ~~wherein the exercise parameter is received from~~ a sensor within the wireless internet device, and wherein the exercise parameter is received from the sensor.
8. (Original) The system of claim 7, wherein the sensor within the wireless internet device is a GPS device or an accelerometer.
9. (Currently Amended) The system of claim 1, wherein the instructions further perform a method of providing a user interface for the wireless internet device, wherein the exercise parameter is a nutrition parameter, and wherein the nutrition parameter is received from the ~~a user interface associated with the wireless internet device.~~

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