Attorney's Docket No.: 43426.69   Express Mail Label No. EV661 243 784 US   *PATENT*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:)	
)	Examiner: N/A
Yigal Mordechai Edery)	
Nimrod Itzhak Vered)	Art Unit: N/A
David Kroll)	
)	
Application No: Not yet assigned)	
)	
Filed: Concurrently with the Application)	
)	
For: MALICIOUS MOBILE CODE)	
RUNTIME MONITORING)	
SYSTEM AND METHODS)	

Commissioner for Patents
P.O. Box 1450
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PRELIMINARY RESPONSE

Applicant has carefully studied the Office Action issued for the parent application, US Ser. No. 09/861,229, dated December 7, 2004.

In Paragraphs 7 and 8 of that Office Action, claims 1 – 7, 16 – 20, 28 – 34, 43 – 51 and 60 – 76 of that application were rejected under 35 U.S.C. §102(e) as being anticipated by Golan, U.S Patent No. 5974549 ("Golan").

The present invention provides a packaging of mobile protection code with a downloadable intended for a destination computer, when the downloadable is deemed suspicious. The package is structured so that when it is received at its intended destination computer, the mobile protection code is executed prior to executing the downloadable, as illustrated in elements 340 – 343 of FIGS. 3 and 4 of the present specification.

Golan describes a security monitor that creates a sandbox around an application, such as a web browser, and controls the behavior of software components, such as ActiveX controls, that are operative in conjunction with the application. Specifically, Golan re-directs API calls of the application and the software components to corresponding monitored API functions (Golan / FIGS.

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10 and 14). Golan also re-directs non-API calls of the software components, in order to further protect against indirect calls to API functions (Golan / FIGS. 11 and 15). Re-direction of API and non-API calls is performed by modifying function addresses within function import tables (Golan / FIG. 4).

In distinction with the present invention, Golan does not describe the packaging of protection code. Instead, Golan discusses a situation whereby a security monitor is already resident on a client computer, as illustrated in FIGS. 2, 5 and 9 of Golan, without concerning itself as to how the security monitor was installed. In fact, prima facie the methodology of the present invention, of packaging mobile protection code with downloadable information, seems wasteful and counter-intuitive, since such protection code is typically re-transmitted to the client computer many times – in particular, each time a downloadable with executable code is downloaded. However, the advantage of this methodology is control over the ability to customize the mobile protection code and to update it as necessary, thus obviating the need for a user to be responsible for ensuring that his security code be appropriate to his computer and up to date.

In Paragraph 8 of that Office Action, the Examiner, citing col. 2, lines 12 – 28, col. 3, lines 45 – 58 and col. 4, line 50 – col. 5, line 14 of Golan, indicated that Golan discloses "... *causing mobile protection code to be communicated to one information-destination of the downloadable information, if the downloadable-information is determined to include executable code.*" Applicant respectfully submits that Golan does not describe causing mobile protection code, which corresponds to Golan's security monitor, to be communicated.

As to independent method claim 1, applicant respectfully submits that the limitation in claim 1 of

"*causing mobile protection code to be communicated to at least one information-destination of the downloadable-information, if the downloadable-information is determined to include executable code*"
is neither shown nor suggested in Golan, as explained hereinabove.

Because claims 2 – 7 depend from claim 1 and include additional features, applicant respectfully submits that claims 2 – 7 are not anticipated or rendered obvious by Golan.

Accordingly claims 1 – 7 are deemed to be allowable.

As to independent system claim 16, applicant respectfully submits that the limitation in claim 16 of

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"a protection agent engine communicatively coupled to the content inspection engine for causing mobile protection code ("MPC") to be communicated to at least one information-destination of the downloadable-information, if the downloadable-information is determined to include executable code"; and

is neither shown nor suggested in Golan.

Because claims 17 - 20 depend from claim 16 and include additional features, applicant respectfully submits that claims 17 - 20 are not anticipated or rendered obvious by Golan.

Accordingly claims 16 - 20 are deemed to be allowable.

As to independent system claim 28, applicant respectfully submits that the limitation in claim 28 of

"means for causing mobile protection code to be communicated to at least one information-destination of the downloadable-information, if the downloadable-information is determined to include executable code"

is neither shown nor suggested in Golan.

Accordingly claim 28 is deemed to be allowable.

As to claim 29 for a computer-readable storage medium, applicant respectfully submits that the limitation in claim 29 of

"causing mobile protection code to be communicated to at least one information-destination of the downloadable-information, if the downloadable-information is determined to include executable code"

is neither shown nor suggested in Golan.

Accordingly claim 29 is deemed to be allowable.

As to independent method claim 30, applicant respectfully submits that the limitation in claim 30 of

"causing mobile protection code to be executed by a mobile code executor at a downloadable-information destination such that one or more operations of the executable code at the destination, if attempted, will be processed by the mobile protection code"

is neither shown nor suggested in Golan.

Because claims 31 – 34 and 43 - 46 depend from claim 30 and include additional features, applicant respectfully submits that claims 31 – 34, 43 and 46 are not anticipated or rendered obvious by Golan.

Accordingly claims 30 – 34, 43 and 46 are deemed to be allowable.

As to independent system claim 47, applicant respectfully submits that the limitation in claim 47 of

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"*mobile code means communicatively coupled to the receiving means for causing mobile protection code to be executed by a mobile code executor at a downloadable-information destination such that one or more operations of the executable code at the destination, if attempted, will be processed by the mobile protection code*"
is neither shown nor suggested in Golan.

Because claims 48 – 51, 58 and 59 depend from claim 47 and include additional features, applicant respectfully submits that claims 48 – 51, 58 and 59 are not anticipated or rendered obvious by Golan.

Accordingly claims 47 – 51, 58 and 59 are deemed to be allowable.

As to claim 60 for a computer-readable storage medium, applicant respectfully submits that the limitation in claim 60 of

"*causing mobile protection code to be executed by a mobile code executor at a downloadable-information destination such that one or more operations of the executable code at the destination, if attempted, will be processed by the mobile protection code*"
is neither shown nor suggested in Golan.

Accordingly claim 60 is deemed to be allowable.

As to independent method claim 61, applicant respectfully submits that the limitation in claim 61 of

"*receiving a sandboxed package that includes mobile protection code ("MPC") and a Downloadable and one or more protection policies at a Downloadable-destination*"
is neither shown nor suggested in Golan. In rejecting claim 62 of the parent application, the Examiner cited Golan, col. 1, lines 34 – 43; col. 2, lines 12 - 28; and col. 5, lines 60 – 67. Applicant respectfully submits that, although Golan does describe a sandbox, the limitation of a sandboxed package that includes mobile protection code and a Downloadable and one or more protection policies does not appear at the locations cited.

Because claims 63 - 67 depend from claim 61 and include additional features, applicant respectfully submits that claims 63 - 67 are not anticipated or rendered obvious by Golan.

Accordingly claims 61 and 63 – 67 are deemed to be allowable.

As to amended independent system claim 68, applicant respectfully submits that the limitation in claim 68 of

"*a sandboxed package capable of being received and initiated by the mobile code executor, the sandboxed package including a Downloadable*

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and mobile protection code ("MPC") for causing one or more Downloadable operations to be intercepted and for processing the intercepted operations, if the Downloadable attempts to initiate the operations"

is neither shown nor suggested in Golan. In rejecting claim 68 of the parent application, the Examiner cited Golan, col. 1, lines 34 – 43; col. 2, lines 12 - 28; col. 3, lines 45 – 58; col. 4, line 50 through col. 5, line 14; and col. 5, lines 60 – 67. Applicant respectfully submits that, although Golan does describe a sandbox, the limitation of a sandboxed package including a Downloadable and mobile protection code does not appear at the locations cited.

Because claims 69 - 74 depend from claim 68 and include additional features, applicant respectfully submits that claims 69 - 74 are not anticipated or rendered obvious by Golan.

Accordingly claims 68 – 74 are deemed to be allowable.

As to independent system claim 75, applicant respectfully submits that the limitation in claim 75 of

"receiving means for receiving a sandboxed package that include mobile protection code ("MPC") and a Downloadable and one or more protection policies at a Downloadable-destination"

is neither shown nor suggested in Golan.

Accordingly claim 75 is deemed to be allowable.

As to independent claim 76 for a computer-readable storage medium, applicant respectfully submits that the limitation in claim 76 of

"receiving a sandboxed package that includes mobile protection code ("MPC") and a Downloadable and one or more protection policies at a Downloadable-destination"

is neither shown nor suggested in Golan.

Accordingly claim 76 is deemed to be allowable.

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