

EXHIBIT K

Serial No.: 12/211,033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roger J. Quy

Serial No.: 12/211,033

Filed: 09/15/2008

Title: METHOD AND APPARATUS FOR HEALTH AND DISEASE
MANAGEMENT COMBINING PATIENT DATA MONITORING WITH
WIRELESS INTERNET CONNECTIVITY

Art Unit: 3769

Examiner: Michael C. Astorino

Confirmation No.: 7693

Docket No.: 00125/002005

Via EFS Web

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed December 29, 2009, kindly amend the above-identified application as follows:

Certificate of Electronic Filing Under

37 C.F.R. §1.8

I certify that this correspondence and any document reference herein is being electronically deposited with the USPTO via EFS-Web on March 16, 2010.

Michelle Wolf

(Printed Name of Person Mailing Correspondence)

/michelle wolf/

(Signature)

Serial No.: 12/211,033

Amendments to the Claims:

1. (Currently Amended) A method for interactive exercise monitoring, the method comprising the steps of:
 - a. coupling a web-enabled wireless phone to a device which provides exercise-related information;
 - b. rendering a user interface on the web-enabled wireless phone;
 - c. receiving data ~~exercise-related information in the web-enabled wireless phone, wherein the exercise-related information includes~~ indicating a physiological data status of a subject;
 - d. receiving and data data ~~data~~ indicating an amount of exercise performed by the subject; ~~and~~
 - e. wherein at least one of the data physiological data and the data-indicating a physiologic status of a subject or the data indicating an amount of exercise performed by the subject is received from the device which provides exercise-related information, and wherein the data indicating a physiologic status of a subject is received at least partially while the subject is exercising;
 - f. sending the exercise-related information to an internet server via a wireless network;
 - g. receiving a calculated response from a the server, the response associated with a calculation performed by the server based on the exercise-related information; and
 - h. running an application in the web-enabled wireless phone for receiving the exercise-related information and displaying the response.

2. (Currently Amended) The method of claim 1, wherein the receiving data indicating a physiologic status of a subject ~~exercise-related information including physiological data~~ includes receiving data from a physiological sensor coupled to monitoring device ~~or from an exercise machine.~~

3. (Currently Amended) The method of claim 1, where the receiving ~~exercise-related information including~~ data indicating an amount of exercise performed by the subject includes receiving data from an exercise machine ~~or from a physiological monitoring device.~~

Serial No.: 12/211,033

4. (Previously Presented) The method of claim 1, wherein the web-enabled wireless phone receives exercise-related information over a transmission medium, the transmission medium including a wired connection or a wireless connection.

5. (Canceled)

6. (Original) The method of claim 1, wherein the web-enabled wireless phone receives data via an adapter to convert a signal from the device to a suitable input for the wireless phone.

7. (Currently Amended) The method of claim 1, wherein the data indicating an amount of exercise performed is received from a device ~~which provides exercise-related information is~~ selected from the group consisting of: ~~an electronic body weight scale, a body fat gauge, a pedometer, a biofeedback device,~~ a treadmill, a stepper, an exercise cycle, an accelerometer, a rowing machine, physiotherapy equipment, an aerobic or anaerobic exercise device, a ~~temperature monitor, a heart rate monitor, a blood pressure monitor, a respiratory monitor,~~ and a device that monitors an amount of work or rate of work performed.

8. (Currently Amended) A computer-readable medium, containing an application instructions for performing an interactive method of exercise monitoring, the application physically residing on a server, the method comprising the steps of:

- a. receiving exercise-related information from a web-enabled wireless phone, wherein the exercise-related information includes data indicating a physiological data status of a subject and data data indicating an amount of exercise performed by the subject, and wherein the data indicating a physiologic status of a subject is received at least partially while the subject is exercising;
- b. calculating a response based on the exercise-related information;
- c. transmitting the calculated response to the web-enabled wireless phone.

9. (Currently Amended) The medium of claim 8, wherein the method further comprises:

- a. enabling the web-enabled wireless phone to receive exercise-related information from a device; and
- b. transmitting to the web-enabled wireless phone ~~an~~ device application including a user

Serial No.: 12/211,033

10. (Previously Presented) The medium of claim 8, wherein the calculating a response includes calculating a response to assist a person in monitoring calorie expenditure, losing weight, or maintaining a healthy lifestyle.

11. (Previously Presented) The medium of claim 8, wherein the instructions further cause the web-enabled wireless phone to receive the exercise-related information via an adapter, the adapter to convert a received data signal to a suitable input for the web-enabled wireless phone.

12. (Currently Amended) The medium of claim 8, wherein the data indicating an amount of exercise performed by the subject ~~exercise-related information~~ is received from a ~~physiological monitoring~~ device which is selected from the group consisting of: ~~an electronic body weight scale, a body fat gauge,~~ a pedometer, ~~a biofeedback device,~~ a treadmill, a stepper, an exercise cycle, an accelerometer, a rowing machine, physiotherapy equipment, an aerobic or anaerobic exercise device, ~~a temperature monitor, a heart rate monitor, a blood pressure monitor, a respiratory monitor,~~ and a device that monitors an amount of work or rate of work performed.

13. (Previously Presented) The medium of claim 8, wherein the receiving exercise-related information includes receiving exercise-related information over a wireless or a wired connection.

14. (Currently Amended) A web-enabled wireless phone, containing a computer-readable medium, the computer-readable medium comprising memory within a web-enabled wireless phone, the computer-readable medium comprising instructions for causing a processor in the web-enabled wireless phone to perform the method of claim 1.

15. (Currently Amended) A computer-readable medium-, the computer-readable medium comprising memory within a web-enabled wireless phone, the computer-readable medium containing instructions for causing a processor in a web-enabled wireless phone to perform the method of claim 1.

16. (Previously Presented) The method of claim 1, further comprising downloading the

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.