

amendment. For the reasons provided with respect to claim 27 and in view of the pending amendment to claim 28, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

K. Claim 29: The Patent Owner submits that the rejection is obviated by appropriate amendment. The Patent Owner appreciates the Office Action's recognition that the '970 Patent discloses monitoring and recording speed data, monitoring and recording vehicle speed in excess of predetermined speed limits in combination with location data, and the recording of time duration of speeds in the excessive limits. Office Action at 70; '970 Patent col. 8, lines 46-52. Further, it is appreciated that the Office Action recognizes that the '970 Patent discloses access to speed limits stored in a computer database. In view of this amendment, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

L. Claim 32: The Office Action's indefiniteness rejection of claim 32 may be summarized by questions presented in the Office Action. First, the Office Action asks whether the claim language at its broadest reasonable interpretation requires these steps of the instant claim to comprise steps in addition to the steps of claim 6 or not. Claim 32 requires the recited steps to be performed in addition to the steps of claim 6. Specifically, claim 32 uses the "further comprising" transitional phrase, which indicates that the steps that follow are in addition to the steps recited in claim 6.

Second, the Office Action asks whether the claim language at its broadest reasonable interpretation requires determination of an indication of an occurrence of an event or determination of an indication of a time of an occurrence of an event. The Patent Owner submits that this issue has been obviated by appropriate amendment. Amended claim 32 requires

determining an amount of time that the vehicle is driven at high risk times and determining an insurance cost based on the amount of time that the vehicle is driven at high risk times. Support for this claim language can be found at least at col. 4, lines 27-39; col. 4, line 52 to col. 5, line 1; and col. 6, lines 24-40. In view of this amendment, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

M. Claim 34: The Office Action's indefiniteness rejection of claim 34 may be summarized by questions presented in the Office Action. First, the Office Action asks whether the claim language at its broadest reasonable interpretation requires the steps of the instant claim to comprise steps in addition to the steps of claim 6 or not. Claim 34 requires the recited steps to be performed in addition to the steps of claim 6. Specifically, claim 34 uses the "further comprising" transitional phrase, which indicates that the steps that follow are in addition to the steps recited in claim 6.

Second, the Office Action asks whether the claim language at its broadest reasonable interpretation requires determination of an indication of an occurrence of an event or determination of an indication of a location of an occurrence of an event. The Patent Owner submits that this issue has been obviated by appropriate amendment. Amended claim 34 requires determining an amount of time that the vehicle is driven in high risk locations and determining an insurance cost based on the amount of time that the vehicle is driven in high risk locations. Support for this claim language can be found at least at col. 4, lines 27-39; col. 4, line 52 to col. 5, line 1; and col. 6, lines 24-40. In view of this amendment, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

N. Claim 35: The Office Action's indefiniteness rejection of claim 35 may be summarized by questions presented in the Office Action. First, the Office Action asks whether the claim language at its broadest reasonable interpretation requires the steps of the instant claim to comprise steps in addition to the steps of claim 6 or not. Claim 35 requires the recited steps to be performed in addition to the steps of claim 6. Specifically, claim 35 uses the "further comprising" transitional phrase, which indicates that the steps that follow are in addition to the steps recited in claim 6.

Second, the Office Action asks whether the claim language at its broadest reasonable interpretation requires lateral acceleration to be based on raw data elements or any data elements. The Patent Owner submits that this issue has been obviated by appropriate amendment. Amended claim 35 requires recording a lateral acceleration of the vehicle. Support for this claim language can be found at least at col. 7, lines 21-26 and column 8, line 11. In view of this amendment, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

O. Claim 39: The Office Action's indefiniteness rejection of claim 39 may be summarized by questions presented in the Office Action. First, the Office Action asks whether the claim language at its broadest reasonable interpretation requires the step of the instant claim to comprise a step in addition to the steps of claim 6 or not. Claim 39 requires the recited step to be performed in addition to the steps of claim 6. Specifically, claim 39 uses the "further comprising" transitional phrase, which indicates that the step that follows is in addition to the steps recited in claim 6.

Second, the Office Action asks whether there is a difference between an insurance cost and an insurance premium. The Patent Owner submits that this issue has been obviated by appropriate amendment. Claim 39 has been amended to remove the reference to an “insurance premium.” However, the reference to an “insurance cost” in claim 39 is intended to be broad enough to cover an insurance cost to a customer, such as the costs commonly known as insurance premiums. In view of this amendment, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

P. Claim 41: The Office Action’s indefiniteness rejection of claim 41 may be summarized by a question presented in the Office Action. Specifically, the Office Action asks whether the claim language at its broadest reasonable interpretation requires the steps of the instant claim in addition to the steps of claim 6 or not. Claim 41 requires the recited steps to be performed in addition to the steps of claim 6. Specifically, claim 41 uses the “further comprising” transitional phrase, which indicates that the steps that follow are in addition to the steps recited in claim 6. Therefore, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

Q. Claim 49: The Office Action’s indefiniteness rejection of claim 49 may be summarized by a question presented in the Office Action. Specifically, the Office Action asks whether the claim language at its broadest reasonable interpretation requires the steps of the instant claim in addition to the steps of claim 6 or not. Claim 49 requires the recited steps to be performed in addition to the steps of claim 6. Specifically, claim 49 uses the “further comprising” transitional phrase, which indicates that the steps that follow are in addition to the

steps recited in claim 6. Therefore, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

R. Claim 50: The Office Action's indefiniteness rejection of claim 50 may be summarized by a question presented in the Office Action. Specifically, the Office Action asks whether the claim language at its broadest reasonable interpretation requires these steps of the instant claim in addition to the steps of claim 6 or not. Claim 50 requires the recited steps to be performed in addition to the steps of claim 6. Specifically, claim 50 uses the "further comprising" transitional phrase, which indicates that the steps that follow are in addition to the steps recited in claim 6. Therefore, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

S. Claim 62: The Patent Owner submits that this rejection has been obviated by appropriate amendment. Amended claim 62 requires generating an insurance cost based on at least one of the one or more data elements and at least one of the actuarial classes. In view of this amendment, the Patent Owner respectfully requests withdrawal of the pending §112 2nd paragraph rejection.

T. Claim 64: The Office Action does not present any new indefiniteness issues with respect to the language of claim 64. Rather, the rejection of claim 64 only refers back to the discussion of claims 40 and 61-63. Therefore, Applicants assert that claim 64 is clear and those skilled in the art would understand what is claimed for the same reasons as discussed above in connection with the relevant portions of claims 40 and 62 (claims 61 and 63 have been canceled).

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