

PATENT OWNER
EXHIBIT 2023

FEB 03 2011

Docket No. 1004293.005US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 11/112,990 Confirmation No.: 7098
Applicant(s): McNally, et al. Group Art Unit: 2191
Filed: April 22, 2005 Examiner: Brophy, Matthew
For: INFORMATION MANAGEMENT AND SYNCHRONOUS
COMMUNICATIONS SYSTEM WITH MENU GENERATION, AND
HANDWRITING AND VOICE MODIFICATION OF ORDERS

CORRECTION TO SUPPLEMENTAL RESPONSE

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

Sir:

Applicants respectfully submit a minor correction to an item in our supplemental response that was filed on December 14, 2010.

In that supplemental response, Exhibit A to the "Supplemental Nexus Declaration Under 37 C.F.R. 1.132" is entitled "11/112990 Secondary Factors Nexus Overview Summary". On page 3 of that Exhibit A, at the bottom of that page, is a reference to Exhibit E-8. The reference to Exhibit E-8 was an inadvertent error; the correct reference should be to Exhibit E-7. This important reference (including "instantly creates the displays and GUI on the handheld's smaller screens - with no custom programming required") confirms the direct association between the claimed features of the present invention and the 21st Century Restaurant™ products, and the same claimed feature of the 21st Century Restaurant™ included on the reverse of Exhibit E-5 (the 2000/2001 Product Brochure), which also states this claimed feature and its operational benefit ("*Dynamic Menu generation- no handheld programming required*"), (i.e. the "menu

Serial No. 11/112,990

Docket No. 1004293.005US

wizard”) and includes several actual GUI ‘screen shots’ of the dynamically generated handheld menus.

Dated: February 3, 2011

Respectfully submitted,

/s/ Michael D. Fabiano

MICHAEL D. FABIANO

Registration No. 44,675

MAZZARELLA ■ CALDARELLI LLP

550 West C Street, Suite 700

San Diego, California 92101

Attorney for Applicants

FEB 03 2011

MAZZARELLA CALDARELLI LLP

ATTORNEYS AT LAW

550 WEST "C" STREET, SUITE 700
SAN DIEGO, CA 92101-3235

TELEPHONE: 619 238 4900
FACSIMILE: 619 238 4959

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mail Stop AF Commissioner for Patents	Michael D. Fabiano (mfabiano@mazzcal.com)
COMPANY:	SENDER'S DIRECT DIAL:
U.S. Patent and Trademark Office	EXTENSION 306
FAX NUMBER:	DATE:
571.273.8300	February 3, 2011
PHONE NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
866-217-9197	4
RE	CLIENT REFERENCE NUMBER::
Application No. 11/112,990	1660.04

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

ORIGINAL WILL FOLLOW

Notes:

Attached are the following documents:

Correction to Supplemental Response (for Supplemental Response filed December 14, 2010)

This facsimile is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender at the number listed above and destroy all copies of the original facsimile.

Doc Code: TRAN.LET
Document Description: Transmittal Letter


FEB 03 2011

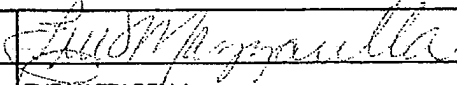
Approved for use through 07/31/2011. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	11/112,990
	Filing Date	2005-04-22
	First Named Inventor	McNally, Keith R.
	Art Unit	2191
	Examiner Name	Brophy, Matthew
	Attorney Docket Number	1004293.006US
Total Number of Pages in This Submission		3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Correction to Supplemental Response
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MAZZARELLA CALDARELLI LLP		
Signature			
Printed name	MICHAEL D. FABIANO		
Date	2/3/11	Reg. No.	44,675

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	EVE MAZZARELLA
Date	2/3/11

This collection of information is required by 37 CFR 1.5. 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 2 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.