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NOTICE OF ALLOWANCE AND FEE(S) DUE

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7590

07/10/2009

HEALTH HERO NETWORK, INC. 2400 GENG ROAD, SUITE 200 PALO ALTO, CA 94303 EXAMINER

SALAD, ABDULLAHI ELMI

ART UNIT PAPER NUMBER

2457

DATE MAILED: 07/10/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/668,092	01/29/2007	Stephen J. Brown	06-0632 / 7553.00092	3238

TITLE OF INVENTION: AUDIO INSTRUCTIONS FOR APPLIANCES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	10/13/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

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If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

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APPLICATION NO.	ICATION NO. FILING DATE		FIRST NAMED INVENTOR			ATTORNEY DOCKET NO. CONF.		CONFIRMATION NO.
11/668,092	01/29/2007	NICEOD ADDITANCES	Stephen J. Brown	l		06-0	632 / 7553.00092	3238
TILE OF INVENTION	: AUDIO INSTRUCTIC	NS FOR APPLIANCES						
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE D	UE	PREV. PAID ISSUE	FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300		\$0		\$1055	10/13/2009
EXAM	IINER	ART UNIT	CLASS-SUBCLASS					
SALAD, ABDU	ULLAHI ELMI	2457	709-224000	_				
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	ondence address (or Cha	nge of Correspondence	(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,					
Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.					
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lease check the appropr	iate assignee category or	categories (will not be pr	inted on the patent):		Individual 🖵 Cor	porati	on or other private grou	p entity Government
a. The following fee(s)	are submitted:	41			se first reapply an	y prev	iously paid issue fee sl	nown above)
☐ Issue Fee☐ Publication Fee (No small entity discount permitted)			☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached.					
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HEALTH HERO NETWORK, INC. 2400 GENG ROAD, SUITE 200 PALO ALTO, CA 94303			SALAD, ABDULLAHI ELMI		
			ART UNIT	PAPER NUMBER	
				2457	
				DATE MAIL ED: 07/10/2000	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 (571)-272-4200.

	Application No.	Applicant(s)
	11/668,092	BROWN, STEPHEN J.
Notice of Allowability	Examiner	Art Unit
	Salad Abdullahi	2457
	Salad Abdullarii	2401
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED or other appropriate comm IGHTS. This application is	in this application. If not included nunication will be mailed in due course. THIS
1. This communication is responsive to <u>5/21/2009</u> .		
2. The allowed claim(s) is/are 1-12 and 14-23.		
3. ☐ Acknowledgment is made of a claim for foreign priority unestable a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have		or (f).
□ Certified copies of the priority documents have □ Certified copies of the priority documents have		on No
3. ☐ Copies of the certified copies of the priority do	• •	
International Bureau (PCT Rule 17.2(a)).	cuments have been receive	ad in this national stage application from the
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		e a reply complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give		
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.	
(a) ☐ including changes required by the Notice of Draftspers	son's Patent Drawing Revie	w (PTO-948) attached
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date	,	
(b) ☐ including changes required by the attached Examiner'Paper No./Mail Date	s Amendment / Comment o	or in the Office action of
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t		
6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT		
Attachment(s)	E Notice of I	oformal Datant Application
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO-948) 		nformal Patent Application Summary (PTO-413),
	Paper No	./Mail Date
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>1/29/2007</u> 	7. ⊠ Examiner's	s Amendment/Comment
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. 🗌 Examiner's	s Statement of Reasons for Allowance
	9. Other	<u></u> ·

Art Unit: 2457

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such amendment, it must be submitted no later than the payment of the issue.

- 2. Authorization for the examiner's amendment was given in a telephone interview with Mr. Christopher P. Maiorana on 6/15/2009.
- 3. The application has been amended as follows.
- 4. Please amend the claims as attached.
- 5. Claims 1-12 and 14-23 are allowed.
- 6. Claim 13 is cancelled.
- 7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2457

1. (CURRENTLY AMENDED) A communications network

comprising:

a communications channel;

a server;

a primary device in communication with said server through said

communications channel, wherein (A) said primary device comprises a

component adapted to (i) receive one or more computer programs including one

or more queries, instructions or messages as a first digital file from said server,

(ii) convert the first digital file into synthesized audio transmissions, (iii) present

said synthesized audio transmissions to an individual through a speaker and (iv)

receive audible responses from said individual and (B) said primary device

comprises a processor adapted to collect data relating to said primary device,

and execute said computer programs to provide a diagnosis of a performance of

said primary device; and

a secondary device operatively connected to said primary device,

wherein said secondary device (i) is adapted to be operated by said individual in

response to said synthesized audio transmissions and (ii) comprises a user

interface adapted to receive input responses from said individual and convert

said input responses to a second digital file through speech recognition.

2. (PREVIOUSLY PRESENTED) The network of claim 1,

wherein said component comprises an audio processor adapted to:

receive a first set of electrical signals corresponding to any of said queries, instructions, and messages;

convert said first set of electrical signals to a second set of electrical signals capable of being audibly synthesized; and audibly synthesize said second set of electrical signals.

- 3. (ORIGINAL) The network of claim 1, wherein the primary and secondary devices are housed within a single housing unit.
- 4. (ORIGINAL) The network of claim 3, wherein said housing unit comprises a household appliance.
- 5. (PREVIOUSLY PRESENTED) The network of claim 1, wherein said component comprises an audio processor adapted to detect said audible responses, and convert the detected audible responses to data transmissions.
- 6. (ORIGINAL) The network of claim 5, wherein said primary device comprises a transmitter adapted to transmit said data transmissions generated by said audio processor to said server.

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7. (PREVIOUSLY PRESENTED) The network of claim 1, wherein said server is adapted to generate said computer programs that are executable by said secondary device.

- 8. (PREVIOUSLY PRESENTED) The network of claim 7, wherein said secondary device comprises a user interface adapted to (i) output said any of queries, instructions, or messages, and (ii) input responses to said any of queries, instructions, or messages.
- 9. (ORIGINAL) The network of claim 8, wherein said output comprises any of visual output and audio output, and wherein said input comprises any of data entry input, graphic user interface input, and audio input.
- 10. (CURRENTLY AMENDED) A system for communicating with a household appliance, said system comprising:

a communications channel where a portion of the channel is a wireless channel:

a server; and

a household appliance in communication with said server through said communications channel, wherein (A) said household appliance comprises a component adapted to (i) receive one or more computer programs including one or more queries, instructions or messages as a first digital file from said

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server, (ii) convert the first digital file into synthesized audio transmissions, (iii) present said synthesized audio transmissions to an individual through a speaker and (iv) receive audible responses from said individual, (B) wherein said appliance (i) is adapted to be operated by said individual in response to the synthesized audio transmissions and (ii) comprises a user interface adapted to receive input responses from said individual and convert said input responses to a second digital file through speech recognition and (C) said household appliance includes a processor adapted to collect data relating to said household appliance, and execute said computer programs to provide a diagnosis of a performance of said household appliance.

11. (PREVIOUSLY PRESENTED) The system of claim 10, wherein said component comprises an audio processor adapted to:

receive a first set of electrical signals corresponding to any of said queries, instructions, and messages;

convert said first set of electrical signals to a second set of electrical signals capable of being audibly synthesized; and

audibly synthesize said second set of electrical signals.

12. (PREVIOUSLY PRESENTED) The system of claim 10, wherein said server is adapted to generate said computer programs, and wherein said computer programs are executable by said household appliance.

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13. (CANCELED).

14. (CURRENTLY AMENDED) The system of claim 12 13, wherein said processor is adapted to output any of said queries, instructions or messages to said individual to teach said individual how to operate and maintain said household appliance.

- 15. (PREVIOUSLY PRESENTED) The system of claim 14, wherein said output comprises any of data output and audio output.
- 16. (CURRENTLY AMENDED) A method of communicating with a household appliance, said method comprising:

wirelessly transmitting one or more computer programs from a server to a household appliance, wherein said computer programs include one or more queries, instructions or messages as a first digital file;

receiving said first digital file at said household appliance; converting said first digital file into synthesized audio transmissions;

presenting said synthesized audio transmissions to an individual

through a speaker; and

receiving audible responses from said individual,

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wherein (A) said household appliance (i) is adapted to be operated by an individual in response to the synthesized audio transmissions and (ii) comprises a user interface adapted to receive input responses from said individual and convert said input responses to a second digital file through speech recognition and (B) said household appliance comprises a processor adapted to collect data relating to said household appliance, and execute said computer programs to provide a diagnosis of a performance of said household appliance.

17. (PREVIOUSLY PRESENTED) The method of claim 16, further comprising:

receiving a first set of electrical signals corresponding to any of said queries, instructions, or messages;

converting said first set of electrical signals to a second set of electrical signals capable of being audibly synthesized; and

audibly synthesizing said second set of electrical signals.

18. (PREVIOUSLY PRESENTED) The method of claim 16, further comprising said server generating said computer programs, wherein said computer programs are executable by said household appliance.

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19. (PREVIOUSLY PRESENTED) The method of claim 18, further comprising said household appliance collecting data relating to said household appliance, and executing said computer programs to provide a diagnosis of a performance of said household appliance.

- 20. (PREVIOUSLY PRESENTED) The method of claim 19, further comprising said household appliance outputting any of said queries, instructions, and messages to said individual to teach said individual how to operate and maintain said household appliance, wherein said outputting comprises any of data output and audio output.
- 21. (PREVIOUSLY PRESENTED) The network of claim 1, wherein said one or more computer programs comprises one or more script programs.
- 22. (PREVIOUSLY PRESENTED) The system of claim 10, wherein said one or more computer programs comprises one or more script programs.
- 23. (PREVIOUSLY PRESENTED) The method of claim 16, wherein said one or more computer programs comprises one or more script programs.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Salad Abdullahi/ Primary Examiner, Art Unit 2457