



NOTICE OF ALLOWANCE AND FEE(S) DUE

60683 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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

TITLE OF INVENTION: AUDIO INSTRUCTIONS FOR APPLIANCES

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

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:

I. Review the SMALL ENTITY status shown above.

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

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

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:

A. Pay TOTAL FEE(S) DUE shown above, or

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.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 11/668,092, 01/29/2007, Stephen J. Brown, 06-0632 / 7553.00092, 3238
Row 2: 60683, 7590, 07/10/2009, [EXAMINER SALAD, ABDULLAHI ELMI]
Row 3: [ART UNIT 2457] [PAPER NUMBER]
DATE MAILED: 07/10/2009

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 or (571)-272-4200.

Notice of Allowability

Application No.

11/668,092

Examiner

Salad Abdullahi

Applicant(s)

BROWN, STEPHEN J.

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY 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.

- 1. This communication is responsive to 5/21/2009.
- 2. The allowed claim(s) is/are 1-12 and 14-23.
- 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 1/29/2007
- 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application
- 6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

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:

Art Unit: 2457

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.

Art Unit: 2457

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

Art Unit: 2457

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.

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,

Art Unit: 2457

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.

Art Unit: 2457

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.

Art Unit: 2457

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