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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/011,982	10/26/2011	7634228	AFF.0004B10US	4356
21906	7590	02/14/2013	EXAMINER	
TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			LAROSE, COLIN M	
			ART UNIT	PAPER NUMBER
			3992	
			MAIL DATE	DELIVERY MODE
			02/14/2013	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/011,982.

PATENT NO. 7634228.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

PTOL-465 (Rev.07-04)

Office Action in Ex Parte Reexamination	Control No. 90/011,982	Patent Under Reexamination 7634228
	Examiner COLIN LAROSE	Art Unit 3992

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

- a Responsive to the communication(s) filed on 02 August 2012. b This action is made FINAL.
c A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 1 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).** If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 3. Interview Summary, PTO-474.
2. Information Disclosure Statement, PTO/SB/08. 4. _____.

Part II SUMMARY OF ACTION

- 1a. Claims 1-40 are subject to reexamination.
1b. Claims _____ are not subject to reexamination.
2. Claims _____ have been canceled in the present reexamination proceeding.
3. Claims 9-15 and 37-40 are patentable and/or confirmed.
4. Claims 1-8 and 16-35 are rejected.
5. Claims 36 are objected to.
6. The drawings, filed on _____ are acceptable.
7. The proposed drawing correction, filed on _____ has been (7a) approved (7b) disapproved.
8. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
1 been received.
2 not been received.
3 been filed in Application No. _____.
4 been filed in reexamination Control No. _____.
5 been received by the International Bureau in PCT application No. _____.
* See the attached detailed Office action for a list of the certified copies not received.
9. Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. Other: _____

cc: Requester (if third party requester)

REEXAMINATION OF U.S. PATENT 7,634,228

Receipt of Arguments and Amendments

Patent Owner's arguments and amendments submitted 8/2/2012, have been entered and made of record. Original patent claims 1-30 have not been amended. New claims 31-40 have been added.

Documents Cited Herein

- A. Alpine Electronics of America, Inc., "Interface Adapter for iPod KCA-420i" Owner's Manual ("Alpine KCA-420i Owner's Manual"), a copy of which is annexed hereto as Exhibit 7. The Alpine KCA-420i Owner's Manual was published in 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- B. Alpine Electronics of America, Inc., "Alpine Debuts World's First Audio Head Units That Allow True Integration with iPod" Press Release ("Alpine Press Release"), a copy of which is annexed hereto as Exhibit 8. The Alpine Press Release published on January 8, 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- C. Apple Computer, Inc., "iPod User's Guide" ("iPod User's Guide"), which is annexed hereto as Exhibit 9. The iPod User's Guide was published in 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- D. U.S. Patent No. 6,697,470 ("McDonough"), which is annexed hereto as Exhibit 10. McDonough issued on February 24, 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- E. U.S. Patent Application Publication No. 2004/0203608 ("Osann, Jr."), which is annexed hereto as Exhibit 11. Osann, Jr. was published on October 14, 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- F. U.S. Patent No. 6,493,429 ("Cannon et al."), which is annexed hereto as Exhibit 12. Cannon et al. issued on December 10, 2002 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).

- G. U.S. Patent Application Publication No. 2005/0143047 ("Kwon et al."), which is annexed hereto as Exhibit 13. Kwon et al. was published on June 30, 2005 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- H. U.S. Patent Application Publication No. 2004/0151327 ("Marlow"), which is annexed hereto as Exhibit 14. Marlow was published on August 4, 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- I. BMW of North America, LLC, "Owner's Manual for iPod Interface" ("BMW iPod Interface Manual"), which is annexed hereto as Exhibit 15. The BMW iPod Interface Manual was published 2004 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- J. Audi AG, "Infotainment/MMI Operating Instructions" ("Audi MMI Manual"), which is annexed hereto as Exhibit 16. The Audi MMI Manual was published in 2006 and therefore constitutes prior art to the '228 patent at least under 35 U.S.C. § 102(a).
- K. U.S. Patent No. 5,991,640 ("Lilja et al."), which is annexed hereto as Exhibit 17. Lilja et al. issued on November 23, 1999 and therefore constitutes prior art to the '228 patent under 35 U.S.C. § 102(b).
- L. Empeg Limited, "Empeg Car User Guide" ("Empeg Car User Guide 1999"), which is annexed hereto as Exhibit 18. The Empeg Car User Guide 1999 was published in 1999 and therefore constitutes prior art to the '228 patent at least under 35 U.S.C. § 102(b).
- M. Empeg Limited, "Empeg-Car Software Beta-10a Release" ("Empeg Car Release Notes"), which is annexed hereto as Exhibit 19. The Empeg Car User Guide Release Notes were published on March 25, 2000² and therefore constitutes prior art to the '228 patent at least under 35 U.S.C. § 102(b).
- N. The Media LLC, "The Free iPod Book 2.2 from iLounge.com" ("Free iPod Book 2.2"), which is annexed hereto as Exhibit 21. The Free iPod Book was published on July 17, 2006³ and therefore constitutes prior art to the '228 patent at least under 35 U.S.C. § 102(a).

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