

PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: White et al.

Date Filed: March 28, 2000

Serial No.: 09/537,812

Examiner: Andrew T. Harry

Group Art Unit: 2684

Title: SYSTEM AND METHOD FOR COMMUNICATING SELECTED INFORMATION TO AN ELECTRONIC DEVICE

Box Non-Fee Amendment

Assistant Commissioner for Patents

Washington, D.C. 20231

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Dear Sir:

Applicants appreciate the time taken by Examiner Harry and Examiner Hunter for the Examiner's interview on Wednesday, January 22, 2003. Per our conversation, you agreed not to enter the Final Office Action mailed on December 2, 2002. Applicants have amended the claims in light of our conversation during the Examiners interview to further clarify the invention. Applicants request that the Examiner reconsider the application in view of the following amendments and remarks. Please amend the Application as follows:

AMENDMENTS

IN THE CLAIMS:

Please refer to the attached sheets showing a marked-up version and non-marked up version of the amendments to the claims.

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REMARKS

To expedite allowance and further clarify the claimed embodiment, Applicants have added Claims 38 and 39, and amended Claims 8, 11, 16, 21, 23, 27, 31, 34 and 37. Applicants respectfully submit that Claims 8, 11, 16, 21, 23, 27, 31, 34, 37, 38, and 39 are now fully allowable. Applicants submit that all claims pending in this application are fully allowable and respectfully request reconsideration and favorable action in this case.

High Speed Low Power Communication Module Discussion

Examiners stated that the limitation of 'high speed low power' is indefinite. Applicants have amended the application to further clarify the invention to include a 'short-range' communication module and a 'long-range' communication module. Applicants have included a reference providing a definition of a short-range communication.

In one of the references provided, Short-Range Wireless Connectivity: A Complementary Comparison by *Puneet Gupta*, the author explains that the short-range wireless technology known as Bluetooth "is a high-speed, low-power microwave wireless link technology".

Streaming Audio Discussion

Examiners stated that an 'audio file' is equivalent to 'streaming audio'. Applicants have provided a definition of streaming audio to clarify the differences between audio files and streaming audio. For example, "...streaming audio includes playing audio or video immediately as it is downloaded from the Internet, rather than storing it in a file on the receiving computer first." A second reference defines streaming audio as "...streaming sound is played as it arrives. The alternative is a sound recording that doesn't start playing until the entire file has arrived." In other words, by downloading and storing the file, an electronic device incorporating teachings of the present invention will be able to play music without break-ups, pauses, and music stoppages attendant to streaming systems.

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Applicants submit that Claim 1 is drawn toward the selection of audio files and not streaming audio. One skilled in the art can appreciate a discernable difference between an 'audio file' and 'streaming audio'.

Identifying an Electronic Device Discussion

Applicants have amended Claim 11 to further clarify the invention. In particular, Applicants would like to point out the added limitation of 'receiving an input from a user identifying the electronic device, the input including a reference identifying the electronic device' includes providing a reference to identify an electronic device.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the rejection and allowance of Claims 1, 4-11, 13-16, 18-21, 23 and 26-39.

Applicants believe that no further fee is due.

RESPECTFULLY SUBMITTED,

White et al.

Date: February 18, 2003

Russell White
10704 Redmond Rd.
Austin, Texas 78739
Telephone: (512) 301-5518

By: 

Kevin R. Imes
Reg. No. 44,795

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