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Application No.: 12/543,910  
Notice of Non-Compliant Amendment Dated: March 10, 2011  
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gordon Bremer**  
Application No.: **12/543,910**  
Filing Date: **August 19, 2009**  
For: **System and Method of Communication Via Embedded Modulation**

Confirmation No.: **8306**  
Group Art Unit: **2611**  
Examiner: **Dac V Ha**

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

Sir:

REPLY PURSUANT TO 37 CFR § 1.121

In response to the Notice of Non-Compliant Amendment dated **March 10, 2011**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- Amendments to the Specification** begin on page of this paper.
- Corrected Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet.
- Remarks** begin on page 14 of this paper.
- Request For Refund** submitted herewith.

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A communication ~~system~~ device capable of communicating according to a master/slave relationship in which a slave communication from a slave to a master occurs in response to a master communication from the master to the slave, the device comprising:

a transceiver, in the role of the master according to the master/slave relationship, for sending at least ~~transmitter capable of transmitting~~ transmissions modulated using at least two types of modulation methods, wherein the at least two types of modulation methods comprise a first modulation method and a second modulation method, wherein the second modulation method is of a different type than the first modulation method, and wherein the first transceiver is configured to transmit transmissions comprise groups of transmission sequences, each group of said groups of transmission sequences structured with a first portion and a payload portion wherein first information in the first portion indicates at least which of the first modulation method and the second modulation method is used for modulating second information in the payload portion, wherein at least one group of transmission sequences is addressed for an intended destination of the payload portion, and wherein for the at least one group of transmission sequences:

the first information for said at least one group of transmission sequences comprises a first sequence, in the first portion and modulated according to the first modulation method, wherein the first sequence ~~that~~ indicates an impending change from the first modulation method to the second modulation method, and

the second information for said at least one group of transmission sequences comprises a second sequence, ~~in~~ modulated according to the second modulation method, wherein the second sequence is transmitted after the first ~~data~~ sequence.

2. (Currently Amended) The ~~system~~ device of claim 1, wherein the transceiver is configured to transmit a third sequence after the second sequence, wherein the third sequence

is transmitted in the first modulation method and indicates that communication from the master to the slave has reverted to the first modulation method.

3. – 8. (Canceled)

9. (Currently Amended) The ~~system~~ device of claim 1, wherein the ~~first~~ transceiver is configured to transmit the second sequence according to a specific time interval.

10. (Currently Amended) The ~~system~~ device of claim 1, wherein the ~~first~~ transceiver is configured to transmit the second sequence according to a particular quantity of data.

11. (Currently Amended) The ~~system~~ device of claim 1, further comprising a processor and a memory, wherein the memory has stored therein instructions that when executed by the processor cause the ~~transceiver transmitter~~ to transmit the first sequence and the second sequence.

12. (Currently Amended) The ~~system~~ device of claim 11, wherein the memory has stored therein program code for the first modulation method and the second modulation method.

13. (Currently Amended) The ~~system~~ device of claim 11, wherein the memory comprises random access memory.

14. (Currently Amended) The ~~system~~ device of claim 11, wherein the memory comprises read-only memory.

15. (Currently Amended) The device of claim 11, wherein the memory has stored therein program code for operating the transceiver in a multipoint master/slave relationship communications protocol.

16. – 17. (Canceled)

18. (Currently Amended) ~~The system device of claim 147, wherein the first communication from the master to the slave burst transmission is a poll in accordance with a multipoint communications protocol relationship, wherein the poll indicates that the master has selected the slave for transmission.~~

19. (Canceled)

20. (Currently Amended) ~~The device of claim 19~~ A communications device, comprising:  
a processor; and  
a memory having stored therein executable instructions for execution by the processor, wherein the executable instructions direct transmission of a first data with a first modulation method followed by a second data with a second modulation method, wherein the first modulation method is different than the second modulation method, wherein the first data comprises an indication of an impending change from the first modulation method to the second modulation method, wherein the executable instructions direct transmission of a third data with the first modulation method after the second data, and wherein the third data indicates that communication has reverted to the first modulation method.

21. – 26. (Canceled)

27. (Currently Amended) The device of claim 20 19, wherein transmission of the second data is according to a specific time interval.

28. (Currently Amended) ~~The device of claim 19,~~ A communications device, comprising:  
a processor; and  
a memory having stored therein executable instructions for execution by the processor, wherein the executable instructions direct transmission of a first data with a first modulation method followed by a second data with a second modulation method, wherein the first modulation method is different than the second modulation method, wherein the first data comprises an indication of an impending change from the first modulation method to the second modulation method wherein the executable instructions direct transmission of a third

data with the first modulation method after the second data, and wherein transmission of the second data is according to a particular quantity of data.

29. (Currently Amended) The device of claim 20 ~~49~~, further comprising a transmitter configured to transmit the first data and the second data.

30. (Currently Amended) The device of claim 20 ~~49~~, wherein the memory has stored therein program code for the first modulation method and the second modulation method.

31. (Currently Amended) The device of claim 20 ~~49~~, wherein the memory comprises random access memory.

32. (Currently Amended) The device of claim 20 ~~49~~, wherein the memory comprises read-only memory.

33. (Currently Amended) The device of claim 20 ~~49~~, wherein the memory has stored therein program code for a multipoint communications protocol.

34. – 36. (Canceled)

37. (Currently Amended) A device ~~comprising:~~ that transmits in accordance with a first modulation ~~logic, method and~~ and a second modulation ~~logic-method~~ that is different than the first modulation logic, and method, said device comprising:

at least one modulator;

a transceiver that includes the at least one modulator ~~adapted to use the first modulation logic and the second modulation logic~~, wherein the transceiver is configured to transmit:

a first sequence, modulated in accordance with the first modulation method ~~logic~~, that indicates a an impending change from the first modulation method ~~logic~~ to the second modulation method ~~logic~~, and

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