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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,890	04/28/2006	Leigh M. Rothschild	Leigh-12	1804
1218	7590	02/24/2010	EXAMINER	
CASELLA & HESPOS 274 MADISON AVENUE NEW YORK, NY 10016			JEN, MINGJEN	
			ART UNIT	PAPER NUMBER
			3664	
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			02/24/2010	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.

Office Action Summary	Application No. 11/413,890	Applicant(s) ROTHSCHILD, LEIGH M.	
	Examiner IAN JEN	Art Unit 3664	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12/07/2009.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance 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.

Disposition of Claims

- 4) Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-17,37 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 18-36,38-41 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 April 2006 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) 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:
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)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to the remark entered on December 7th, 2009.
2. Applicant's election with traverse of species I, the embodiment represented by Figure 3; Claims 18 – 36 and 38 - 41 in the reply filed on December 7th, 2009 is acknowledged.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the associated information is a name of person residing at address, a cross street of the address...or an alternative spelling of the address must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

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application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims are rejected under 35 U.S.C. 102(a) as being anticipated by Ishibashi et al (US Pat Pub 2004/02284849).

As for claim 18, 25, Ishibashi et al shows a positional information device comprising: a locational information module for determining location information of the device (See Figure 2, 14, Present Position Detecting Processor 15, Input unit 34); a communication module for transmitting a request for at least one location remote of the device and for receiving coordinates of the at least one location (See Figure 2, Input Unit 34, Communication Unit 38); a processing module configured to receive the coordinates from the communication module and determine route guidance based on the location of the device and the received coordinates; and a display module for displaying the route guidance (See Figure 2, Navigation Processor 17 receive information from input unit 34, Present Position Detecting Processor 15 and Communication

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Unit 15); a system for entering location information into a positional information device (Para 0038), the system comprising: a server configured to receive a request for at least one location (Para 0041), determine coordinates of the least one requested location and to transmit the determined coordinates to the device (Para 0040-0045); the positional information device including a locational information module for determining location information of the device (See Fig 2);

As for claim 19, Ishibashi et al shows further comprising a storage module for Storing the received coordinates (See Figure 2, RAM 32, ROM33, Recorded Data unit 16).

As for claim 20, 26, Ishibashi et al shows the communication module is configured to transmit an identifier of the device with the request (See Figure 1, Step 1; Figure 5, ID 64(bit)).

As for claim 22, 23, Ishibashi et al shows the communication module is configured to transmit the request by voice communications (Para 0045) and the communication module is configured to transmit the request by wireless data transfer (Para 0040).

As for claim 24,35, Ishibashi et al shows the communication module is configured to transmit a time and date associated with the requested at least one location and to receive the associated time and date with the coordinates (Fig 5, Date 9 bit, Time 17 bit, Longitude 19 bit, Latitude 19 bit) and wherein the processing module is configured to display on the display module the coordinates at the associated time and date (Fig 5, Date 9 bit, Time 17 bit, Longitude

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