

AO 120 (Rev. 08/10)

TO: <p style="text-align: center;">Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450</p>	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the District of Delaware _____ on the following Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED 8/26/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF M2M SOLUTIONS LLC, a Delaware limited liability company		DEFENDANT ENFORA, INC., a Delaware corporation, NOVATEL WIRELESS SOLUTIONS, INC., a Delaware corporation, and NOVATEL WIRELESS, INC., a Delaware corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,648,717	2/11/2014	M2M SOLUTIONS LLC, a Delaware limited liability company
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY			
	Amendment	Answer	Cross Bill	Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

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DOCKET NO.	DATE FILED 8/26/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF M2M SOLUTIONS LLC, a Delaware limited liability company		DEFENDANT TELIT COMMUNICATIONS PLC, a United Kingdom public limited company, and TELIT WIRELESS SOLUTIONS INC. a Delaware corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,648,717	2/11/2014	M2M SOLUTIONS LLC, a Delaware limited liability company
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY			
	Amendment	Answer	Cross Bill	Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK		
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DOCKET NO.	DATE FILED 8/26/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF M2M SOLUTIONS LLC, a Delaware limited liability company		DEFENDANT SIERRA WIRELESS AMERICA, INC., a Delaware corporation, and SIERRA WIRELESS, INC., a Canadian corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,648,717	2/11/2014	M2M SOLUTIONS LLC, a Delaware limited liability company
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
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 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	--

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Delaware on the following Patents or Trademarks:

DOCKET NO. 14cv178-RGA	DATE FILED 2/11/2014	U.S. DISTRICT COURT DISTRICT OF DELAWARE
PLAINTIFF Sierra Wireless America Inc., et al.		DEFENDANT M2M Solutions LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,648,717	2/11/2014
2		M2M Solutions LLC
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT See attached Notice of Voluntary Dismissal
--

CLERK JOHN A. CERINO, CLERK OF COURT	(BY) DEPUTY CLERK	DATE 6/13/2014
---	-------------------	-------------------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SIERRA WIRELESS AMERICA, INC.)	
and SIERRA WIRELESS, INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 14-178 (RGA)
v.)	
)	
M2M SOLUTIONS LLC)	
)	
Defendant.)	

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs Sierra Wireless America, Inc. and Sierra Wireless, Inc. voluntarily dismiss without prejudice the above-entitled action against Defendant M2M Solutions LLC. This notice of dismissal without prejudice is being filed with the Court before service by Defendant of either an answer or a motion for summary judgment.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

OF COUNSEL:

Robert E. Krebs
Jennifer Hayes
Christopher M. Mooney
NIXON PEABODY LLP
2 Palo Alto Square
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(650) 320-7700

Ronald F. Lopez
NIXON PEABODY LLP
One Embarcadero Center, Suite 1800
San Francisco, CA 94111
(415) 984-8200

June 11, 2014

/s/ Thomas C. Grimm
 Thomas C. Grimm (#1098)
 Jeremy A. Tigan (#5239)
 Stephen J. Kraftschik (#5623)
 1201 N. Market Street
 P.O. Box 1347
 Wilmington, DE 19899-1347
 (302) 658-9200
 tgrimm@mnat.com
 jtigan@mnat.com
 skraftschik@mnat.com

*Attorneys for Defendants Sierra Wireless
America, Inc and Sierra Wireless, Inc.*

§ AO 120 (Rev. 3/04)

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DOCKET NO. 14cv178-RGA	DATE FILED 2/11/2014	U.S. DISTRICT COURT DISTRICT OF DELAWARE
PLAINTIFF Sierra Wireless America Inc., et al.		DEFENDANT M2M Solutions LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,648,717	2/11/2014	M2M Solutions LLC
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DATE INCLUDED	INCLUDED BY	
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SIERRA WIRELESS AMERICA, INC.)	
and SIERRA WIRELESS, INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 14-178 (RGA)
v.)	
)	
M2M SOLUTIONS LLC)	
)	
Defendant.)	

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MORRIS, NICHOLS, ARSHT & TUNNELL LLP

OF COUNSEL:

Robert E. Krebs
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Christopher M. Mooney
NIXON PEABODY LLP
2 Palo Alto Square
3000 El Camino Real, Suite 500
Palo Alto, CA 94306-2106
(650) 320-7700

Ronald F. Lopez
NIXON PEABODY LLP
One Embarcadero Center, Suite 1800
San Francisco, CA 94111
(415) 984-8200

/s/ Thomas C. Grimm
 Thomas C. Grimm (#1098)
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 Stephen J. Kraftschik (#5623)
 1201 N. Market Street
 P.O. Box 1347
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 (302) 658-9200
 tgrimm@mnat.com
 jtigan@mnat.com
 skraftschik@mnat.com

*Attorneys for Defendants Sierra Wireless
America, Inc and Sierra Wireless, Inc.*

June 11, 2014

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Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED 2/11/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF Sierra Wireless America, Inc. and Sierra Wireless, Inc.		DEFENDANT M2M Solutions LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,648,717	2/11/2014	M2M Solutions LLC
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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/934,763	02/11/2014	8648717	3781/1014	3746

2101 7590 01/22/2014
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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 Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

M2M Solutions LLC, Stratford-upon-Avon, UNITED KINGDOM, Assignee (with 37 CFR 1.172 Interest);
Eveline Wesby-van Swaay, Stratford-upon-Avon, UNITED KINGDOM;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filed: July 3, 2013
For: Programmable Communicator

Group No.: 2682
Examiner: Nguyen, Nam V.

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

TRANSMITTAL OF PAYMENT OF ISSUE FEE (37 C.F.R. § 1.311)

- 1. Applicant hereby pays the issue fee for the attached Issue Fee Transmittal PTOL-85.
- 2. Applicant

Asserted small entity status in this application on July 3, 2013 by payment of the basic filing fee as a small entity. (37 C.F.R. § 1.27(c)(3))

It is confirmed that small entity status for this application has been checked and it is still in effect and is being asserted.

- 3. Fee (Issue):

Application status is small business entity with a utility fee of \$890.00.

- 4. Fees (Publication)

The publication fee has already been paid on July 3, 2013.

- 5. Total Fees Due

The total amount of fees due is:

issue fee	\$890.00
TOTAL FEE(S) DUE	\$890.00

- 6. Assignee's Name and Address To Be Printed On Patent is as follows (37 C.F.R. § 3.81):

Name of Assignee: M2M Solutions LLC
 Address: Camden House, School Lane
 Residence (City and State or Country): Tiddington, Stratford-upon-Avon, United Kingdom

Assignee category or categories (not printed on patent): Corporation or other private group entity

8. Payment of total fee due:

Authorization is hereby made to charge the amount of \$890.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: December 17, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely

Registration No. 60,821

SUNSTEIN KANN MURPHY & TIMBERS LLP

125 Summer Street

Boston, MA 02110-1618

617-443-9292

Customer No. 02101

03781/01014 2017661.1

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

2101 7590 12/16/2013
Sunstein Kann Murphy & Timbers LLP
 125 SUMMER STREET
 BOSTON, MA 02110-1618

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/934,763	07/03/2013	Eveline Wesby-van Swaay	3781/1014	3746

TITLE OF INVENTION: Programmable Communicator

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	03/17/2014

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, NAM V	2682	340-539120

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> <p>1 <u>Sunstein Kann Murphy &</u></p> <p>2 <u>Timbers LLP</u></p> <p>3 _____</p>
---	--

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: **M2M Solutions LLC**

(B) RESIDENCE: (CITY and STATE OR COUNTRY) **Tiddington, Stratford-upon-Avon, United Kingdom**

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input checked="" type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number <u>19-4972</u> (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

Applicant asserting small entity status. See 37 CFR 1.27

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Jonathan C. Lovely, #60,821/

Date December 17, 2013

Typed or printed name Jonathan C. Lovely

Registration No. 60,821

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Electronic Patent Application Fee Transmittal

Application Number:	13934763
Filing Date:	03-Jul-2013
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Filer:	Jonathan Lovely
Attorney Docket Number:	3781/1014

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	890	890

Extension-of-Time:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				890

Electronic Acknowledgement Receipt

EFS ID:	17680158
Application Number:	13934763
International Application Number:	
Confirmation Number:	3746
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Customer Number:	2101
Filer:	Jonathan Lovely
Filer Authorized By:	
Attorney Docket Number:	3781/1014
Receipt Date:	17-DEC-2013
Filing Date:	03-JUL-2013
Time Stamp:	14:36:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$890
RAM confirmation Number	1062
Deposit Account	194972
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	klw3781_1014_IF.pdf	223963 4ef8261bc11c4d8bac4ca61628e5ace42f8a8e3a	no	4

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30059 92e67708bc4dccc165e146ec917cc76698e eb7b2	no	2
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Warnings:

Information:

Total Files Size (in bytes): 254022

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



NOTICE OF ALLOWANCE AND FEE(S) DUE

2101 7590 12/16/2013
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

Table with 2 columns: EXAMINER (NGUYEN, NAM V), ART UNIT (2682), PAPER NUMBER (3746)

DATE MAILED: 12/16/2013

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

TITLE OF INVENTION: Programmable Communicator

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, 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 ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

2101 7590 12/16/2013
Sunstein Kann Murphy & Timbers LLP
 125 SUMMER STREET
 BOSTON, MA 02110-1618

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/934,763	07/03/2013	Eveline Wesby-van Swaay	3781/1014	3746

TITLE OF INVENTION: Programmable Communicator

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	03/17/2014

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, NAM V	2682	340-539120

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent) : Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
---	---

5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

Applicant asserting small entity status. See 37 CFR 1.27

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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.
13/934,763 07/03/2013 Eveline Wesby-van Swaay 3781/1014 3746

2101 7590 12/16/2013
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

EXAMINER

NGUYEN, NAM V

ART UNIT PAPER NUMBER

2682

DATE MAILED: 12/16/2013

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.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**Notices of Allowance and Fee(s) Due mailed between October 1, 2013 and
December 31, 2013**

(Addendum to PTOL-85)

If the “Notice of Allowance and Fee(s) Due” has a mailing date on or after October 1, 2013 and before January 1, 2014, the following information is applicable to this application.

If the issue fee is being timely paid on or after January 1, 2014, the amount due is the issue fee and publication fee in effect January 1, 2014. On January 1, 2014, the issue fees set forth in 37 CFR 1.18 decrease significantly and the publication fee set forth in 37 CFR 1.18(d)(1) decreases to \$0.

If an issue fee or publication fee has been previously paid in this application, applicant is not entitled to a refund of the difference between the amount paid and the amount in effect on January 1, 2014.

Notice of Allowability	Application No. 13/934,763	Applicant(s) WESBY-VAN SWAAY, EVELINE	
	Examiner NAM V. NGUYEN	Art Unit 2682	AIA (First Inventor to File) Status No

-- 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 11/20/13.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 1-4, 6-15, 17 and 19-33. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/oph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- 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.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 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)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>10/9/13 and 11/20/13</u> 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Examiner's Amendment/Comment 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____. |
|---|--|

/NAM V NGUYEN/
Primary Examiner, Art Unit 2682

Art Unit: 2682

Allowable Subject Matter

This communication is in response to applicant's amendment which is filed November 20, 2013 in the application of Van Swaay for a "programmable communicator" filed July 12, 2013.

A new set of claims 27-33 has been introduced on October 9, 2013.

Claims 5, 16 and 18 have been cancelled.

The proposed amendment has been entered and made of record. Claims 1 and 9 have been amended on October 9, 2013. Claims 1, 27 and 32 have been amended on November 8, 2013. Claims 1, 4, 27 and 32 have been amended on November 20, 2013.

Claims 1-4, 6-15, 17 and 19-33 filed on November 20, 2013 are allowed as evident by applicant's amendment and arguments.

The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose or suggest wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the

Art Unit: 2682

transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions.

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."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Bugg can be reached on 571- 272-2998. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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).

Application/Control Number: 13/934,763

Page 4

Art Unit: 2682

/NAM V NGUYEN/

Primary Examiner, Art Unit 2682

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filing Date: July 3, 2013

Art Unit/Group No.: 2682
Examiner: Nguyen, Nam V.
Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

11/30/2013

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Supplemental Information Disclosure Statement

(Supplemental Information Disclosure Statement--Page 1 of 6)

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. *Notice of January 9, 1992, 1135 O.G. 13-25, at 25.*

(Supplemental Information Disclosure Statement--Page 2 of 6)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.N./

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2682
 Filing Date: July 3, 2013 Examiner Name: Nguyen, Nam V.
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	HO		M2M Solutions LLC et al. v. SimCom Wireless Solutions Co., Ltd. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Defendants' First Supplemental Invalidity Contentions</i> , served July 5, 2013 (9 pages)
	HP		M2M Solutions LLC et al. v. SimCom Wireless Solutions Co., Ltd. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Appendices A-Z and AA: Defendants' First Supplemental Invalidity Contentions</i> , served July 5, 2013 (1084 pages)
	HQ		M2M Solutions LLC et al. v. SimCom Wireless Solutions Co., Ltd. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Defendants' Sur-Reply Brief on Claim Construction</i> , served July 26, 2013 (19 pages)

Examiner Signature: <u> /Nam Nguyen/ </u>
Date Considered: <u> 11/30/2013 </u>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation <i>if not</i> in conformance and not considered. Include copy of this form with next communication to applicant.

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 13/328,095, filed on December 16, 2011.

The following references were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

Reference Nos.: HO - HQ

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

Exception(s) to above:

U.S. patent citations are not included pursuant to the United States Patent and Trademark Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person Making This Supplemental Information Disclosure Statement

The person making this certification is the practitioner of record.

Dated: October 9, 2013

/Jonathan C. Lovely, #60,821/

SIGNATURE OF PRACTITIONER

Reg. No. 60,821

Jonathan C. Lovely

(type or print name of practitioner)

Tel. No.: (617) 443-9292

Sunstein Kann Murphy & Timbers LLP

125 Summer Street, 11th Floor


Firm/Street Address

Customer No.: 002101

Boston, MA 02110-1618

City/State/Zip Code

03781/01014 1976390.1

Search Notes 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE
	Examiner NAM V NGUYEN	Art Unit 2682

CPC- SEARCHED		
Symbol	Date	Examiner
H04M 3/00; H04Q 7/200; G08B 1/08; H04Q 1/30	11/30/13	NN


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
340	7.29; 7.33; 7.52; 529.12; 573.4; 693.5	11/30/13	NN
455	456; 456.2; 418; 419; 425	11/30/13	NN
379	142; 373; 375	11/30/13	NN

SEARCH NOTES		
Search Notes	Date	Examiner
Search EAST: USPAT; US-PUB; EPO; JPO; and Derwent.	9/19/13	NN
Search terms: authorized list in cellular phone with monitoring device; sensor; monitoring central station with address; code; number; id code; ip address or phone number.	9/19/13	NN
CON from 13/328,095 and previous continuous of this cases.	9/19/13	NN
Updated search.	11/30/13	NN

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
SAME AS	ABOVE	11/30/13	NN

	.N.V.N./ Primary Examiner.Art Unit 2682
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Index of Claims 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE
	Examiner NAM V NGUYEN	Art Unit 2682

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	09/20/2013	11/30/2013						
1	1	✓	=						
2	2	✓	=						
3	3	✓	=						
4	4	✓	=						
	5	✓	-						
5	6	✓	=						
6	7	✓	=						
7	8	✓	=						
8	9	✓	=						
9	10	✓	=						
10	11	✓	=						
11	12	✓	=						
12	13	✓	=						
13	14	✓	=						
14	15	✓	=						
	16	-	-						
15	17	✓	=						
	18	-	-						
16	19	✓	=						
17	20	✓	=						
18	21	✓	=						
19	22	✓	=						
20	23	✓	=						
21	24	✓	=						
22	25	✓	=						
23	26	✓	=						
24	27		=						
25	28		=						
27	29		=						
26	30		=						
28	31		=						
29	32		=						
30	33		=						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filing Date: July 3, 2013

Art Unit/Group No.: 2682
Examiner: Nguyen, Nam V.
Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))

TIME OF TRANSMITTAL OF ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

1. The supplemental information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311

whichever occurs first.

FEE

2. Accompanying this transmittal is the fee for submission of an information disclosure statement under section 1.97(c). (\$90.00, at the small entity rate)

FEE PAYMENT

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c), \$90.00.

Fee due \$90.00

METHOD OF PAYMENT OF FEE

4. Authorization is hereby made to charge the amount of \$90.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

DATE: November 20, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
SUNSTEIN KANN MURPHY & TIMBERS LLP
Customer Number 02101
125 Summer Street
Boston, MA 02110-1618
UNITED STATES

03781/01014 1999588.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763

Art Unit/Group No.: 2682

Filing Date: July 3, 2013

Examiner: Nguyen, Nam V.

Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Supplemental Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. *Notice of January 9, 1992, 1135 O.G. 13-25, at 25.*

(Supplemental Information Disclosure Statement--Page 2 of 5)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.N./

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2682
 Filing Date: July 3, 2013 Examiner Name: Nguyen, Nam V.
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	HR		M2M Solutions LLC v. Sierra Wireless America, Inc. and Sierra Wireless, Inc. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Memorandum Opinion</i> , served on November 12, 2013 (20 pages)

Examiner Signature: <u> /Nam Nguyen/ </u>
Date Considered: <u> 11/30/2013 </u>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation <i>if not</i> in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

Exception(s) to above:

U.S. patent citations are not included pursuant to the United States Patent and Trademark Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person Making This Supplemental Information Disclosure Statement

The person making this certification is the practitioner of record.

Dated: November 20, 2013

/Jonathan C. Lovely, #60,821/

SIGNATURE OF PRACTITIONER

Reg. No.: 60,821

Jonathan C. Lovely

(type or print name of practitioner)

Tel. No.: (617) 443-9292

Sunstein Kann Murphy & Timbers LLP

125 Summer Street, 11th Floor


Firm/Address

Customer No.: 002101

Boston, MA 02110-1618

Address


03781/01014 1999626.1

Issue Classification 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE	
	Examiner NAM V NGUYEN	Art Unit 2682	

CPC			
Symbol		Type	Version


CPC Combination Sets					
Symbol		Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	30	
/NAM V NGUYEN/ Primary Examiner.Art Unit 2682	11/30/13	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE
	Examiner NAM V NGUYEN	Art Unit 2682

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION														
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED									
340		539.12				H	0	4	M	3 / 00 (2006.01.01)										
CROSS REFERENCE(S)						H	0	4	Q	1 / 30 (2006.01.01)										
						G	0	8	B	1 / 08 (2006.01.01)										
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																			
340	573.4	693.5	7.33	7.52																

NONE			Total Claims Allowed:	
(Assistant Examiner)			30	
			(Date)	
/NAM V NGUYEN/ Primary Examiner.Art Unit 2682			11/30/13	
(Primary Examiner)			(Date)	
		O.G. Print Claim(s)	O.G. Print Figure	
		1	1	

Issue Classification 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE
	Examiner NAM V NGUYEN	Art Unit 2682

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47									
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	15	17	30	33										
2	2		18												
3	3	16	19												
4	4	17	20												
	5	18	21												
5	6	19	22												
6	7	20	23												
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10	11	24	27												
11	12	25	28												
12	13	27	29												
13	14	26	30												
14	15	28	31												
	16	29	32												

NONE		Total Claims Allowed:	
		30	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/NAM V NGUYEN/ Primary Examiner.Art Unit 2682	11/30/13	1	1
(Primary Examiner)	(Date)		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay
Application No.: 13/934,763
Filed: 07/03/2013
For: Programmable Communicator

Group No.: 2682
Examiner: Nam V. Nguyen

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

SUPPLEMENTAL AMENDMENT TRANSMITTAL

- 1. Transmitted herewith is a supplemental amendment for this application.

STATUS

- 2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

- 3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

- 4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

Table with columns: (Col. 1) CLAIMS REMAINING AFTER AMENDMENT, (Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR, (Col. 3) PRESENT EXTRA, SMALL ENTITY RATE, ADDIT. FEE. Rows include TOTAL, INDEP., and FIRST PRESENTATION OF MULTIPLE DEP. CLAIM, with a final TOTAL ADDIT. FEE of \$ 0.00.

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: November 20, 2013

/Jonathan C. Lovely, #60,821/
Jonathan C. Lovely
Registration No. 60,821
Sunstein Kann Murphy & Timbers LLP
125 Summer Street
Boston, MA 02110-1618
617-443-9292
Customer No. 02101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Wesby-van Swaay	Att'y Docket:	3781/1014
Appln. No.:	13/934,763	Filing Date:	July 3, 2013
Customer No.:	02101	Conf. No.:	3746
Examiner:	Nguyen, Nam V.	Art Unit:	2682
Invention:	PROGRAMMABLE COMMUNICATOR		

FILED BY USPTO ELECTRONIC FILING SYSTEM

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL AMENDMENT

Dear Sir:

Further to the response filed on October 9, 2013 (in response to the Office Action dated September 25, 2013) and the Supplemental Amendment filed on November 8, 2012, please amend the above identified application as follows.

Listing of the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

LISTING OF THE CLAIMS

1. (Currently Amended) A programmable communicator device comprising:

~~a wireless communications circuit for communicating through an antenna over a communications network;~~

a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

and wherein the one or more wireless transmissions from the programming transmitter comprises a General Packet Radio Service (GPRS) or other wireless packet switched data message;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

2. (Original) A programmable communicator device according to claim 1, wherein the

processing module is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

3. (Original) A programmable communicator device according to claim 1, wherein the programmable communicator device comprises the identity module.

4. (Currently Amended) A programmable communicator device according to claim 1 wherein the ~~wireless communications circuit~~ programmable communicator device is configured to ~~receive~~ process wireless transmissions compliant with Bluetooth wireless air interface standards.

5. (Cancelled)

6. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for processing by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

7. (Original) A programmable communicator device according to claim 1 further configured to transmit the processed data to an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

8. (Original) A programmable communicator device according to claim 7, wherein the processing module is configured to cause the processed data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

9. (Previously Presented) A programmable communicator device according to claim 7 further configured to determine whether a data request initiated by the monitoring device includes a required access code in response to programming instructions received in an incoming wireless packet switched data message.

10. (Original) A programmable communicator device according to claim 9, wherein the processing module is configured to determine whether the data request includes the required access code in response to programming instructions received in an incoming wireless packet switched data message.

11. (Original) A programmable communicator device according to claim 1 further configured to determine whether the processed received data indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

12. (Original) A programmable communicator device according to claim 11 further configured to send an at least one transmission for alerting an at least one monitoring device of said change in status or other alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

13. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

14. (Original) A programmable communicator device according to claim 1 further configured to transmit the received data to an at least one monitoring device either periodically or in response to a data request initiated by the monitoring device in response

to programming instructions received in an incoming wireless packet switched data message.

15. (Original) A programmable communicator device according to claim 14, wherein the processing module is configured to cause the received data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

16. (Cancelled)

17. (Original) A programmable communicator device according to claim 1 configured to process an at least one data monitoring or data collection request contained in an at least one transmission received from an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

18. (Cancelled)

19. (Original) A programmable communicator device according to claim 1 further comprising a location processing module configured to determine an at least one location of the programmable communicator device, and wherein the programmable communicator device is configured to respond to an at least one transmission initiated by an at least one monitoring device requesting that said location data be sent to the monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

20. (Original) A programmable communicator device according to claim 19 wherein the location processing module comprises a Global Positioning System (GPS) module.

21. (Original) A programmable communicator device according to claim 1 wherein the

monitored technical device is a sensor device.

22. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a health monitoring system.

23. (Original) A programmable communicator device according to claim 22 wherein the programmable communicator device is configured to receive data from the health monitoring system through the programmable interface representing at least one of body temperature, blood pressure, periodic or continuous electrocardiogram heart rhythm, blood glucose concentration, blood electrolyte concentration, kidney function, liver function, and labor contractions in response to programming instructions received in an incoming wireless packet switched data message.

24. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a vending machine.

25. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a home or domestic appliance.

26. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is at least one of a door status monitoring device, a window status monitoring device, a proximity detector device, and a fire alarm device.

27. (Currently Amended) A programmable communicator device comprising:

~~a wireless communications circuit for communicating through an antenna over a communications network;~~

a programmable interface for establishing a communication link with at least one monitored technical device; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device

by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device; and

wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device.

28. (Previously Presented) A programmable communicator device according to claim 27, wherein the programmable communicator is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in at least one incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

29. (Previously Presented) A programmable communicator device according to claim 27, wherein the programmable interface is wirelessly programmable by an incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

30. (Previously Presented) A programmable communicator device according to claim 28 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator

device in response to programming instructions received in an incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

31 (Previously Presented) A programmable communicator device according to claim 27 wherein the processing module processes received data to determine whether it indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition.

32 (Currently Amended) A programmable communicator device comprising:

~~a wireless communications circuit for communicating through an antenna over a communications network;~~

a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

and wherein the one or more wireless transmissions from the programming

transmitter containing instructions to program the stored number comprise one or more short message service (SMS) data messages;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in at least one incoming short message service (SMS) data message or packet switched data message.

33 (Previously Presented) A programmable communicator device according to claim 32 wherein the processing module processes received data to determine whether it indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition.

REMARKS

Applicants would like to thank the examiner for the review of the present application and prior art. Applicants request reconsideration of the pending claims in view of the following remarks. Applicants have amended claims 1, 4, 27 and 32 herewith, and previously cancelled claims 5, 16, and 18. Accordingly, claims 1-4, 6-15, 17, and 19-33 are currently under consideration in this application. No new matter has been added.

Interview Summary

Applicants would also like to thank the examiner for the telephone interview of November 19, 2013. During the interview, Examiner Nguyen and Applicants' counsel discussed some proposed amendments to the claims filed within the Supplemental Amendment dated November 8, 2013. For example, Applicants' counsel proposed amending claim 1, 27 and 32 to remove the limitation "a wireless communications circuit for communicating through an antenna over a communications network." Examiner Nguyen indicated that the proposed amended claims (e.g., without the wireless communication circuit) were acceptable and are in condition for allowance.

Amendments To the Claims

As mentioned above, Applicants have amended independent claims 1, 27 and 32 to remove the limitation "a wireless communications circuit for communicating through an antenna over a communications network." The remainder of the claim recites a patentably distinct device which processes wireless transmissions. In order to provide applicant with protection for the full scope of her invention, the unnecessary limitation has been removed.

Information Disclosure Statement

Applicants submit herewith a supplemental information disclosure statement. Please consider the reference cited therein prior to allowance of the present application.

It is believed that the application is in condition for allowance and Applicant respectfully requests that a notice of allowance be issued. Applicant does not believe any extension of time is required. However, if an extension of time is required, please charge the associated fee and any additional fees required by this paper or credit any overpayment to deposit account number 19-4972. Applicant also requests that the examiner contact applicant's attorney, Jonathan Lovely, if it will assist in processing this application through issuance.

DATE: November 20, 2013

Respectfully submitted,

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
Attorney for Applicant
Sunstein Kann Murphy & Timbers LLP
125 Summer Street

Boston, MA 02110-1618
(617) 443-9292
03781/01014 2001392.1

Electronic Patent Application Fee Transmittal

Application Number:	13934763
Filing Date:	03-Jul-2013
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Filer:	Jonathan Lovely
Attorney Docket Number:	3781/1014

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				90

Electronic Acknowledgement Receipt

EFS ID:	17455382
Application Number:	13934763
International Application Number:	
Confirmation Number:	3746
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Customer Number:	2101
Filer:	Jonathan Lovely
Filer Authorized By:	
Attorney Docket Number:	3781/1014
Receipt Date:	20-NOV-2013
Filing Date:	03-JUL-2013
Time Stamp:	16:12:10
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$90
RAM confirmation Number	3185
Deposit Account	194972
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	Supplemental_Information_Disclosure_Statement.pdf	122715 c1e8ea8d285eb3912b4d6191491e820fe086465c	no	7

Warnings:

Information:

This is not an USPTO supplied IDS fillable form

2	Non Patent Literature	Ref_HR.pdf	1350419 9fdaae4de8faef3dbb60e97c21c0f82b06c90d11	no	20
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Warnings:

Information:

3	Supplemental Response or Supplemental Amendment	ram3781_1014_SuppAmendment.pdf	118887 ec4fd77ba457b9b042e6cb09a89e7315019a14ae	no	13
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Warnings:

Information:

4	Fee Worksheet (SB06)	fee-info.pdf	29759 e4fc50dda523fc453f9b36144a15b59bada59a1	no	2
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Warnings:

Information:

Total Files Size (in bytes): 1621780

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filing Date: July 3, 2013

Art Unit/Group No.: 2682
Examiner: Nguyen, Nam V.
Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

**TIME OF TRANSMITTAL OF ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

1. The supplemental information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311

whichever occurs first.

FEE

2. Accompanying this transmittal is the fee for submission of an information disclosure statement under section 1.97(c). (\$90.00, at the small entity rate)

FEE PAYMENT

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c), \$90.00.

Fee due \$90.00

METHOD OF PAYMENT OF FEE

4. Authorization is hereby made to charge the amount of \$90.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

DATE: November 20, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
SUNSTEIN KANN MURPHY & TIMBERS LLP
Customer Number 02101
125 Summer Street
Boston, MA 02110-1618
UNITED STATES

03781/01014 1999588.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763

Art Unit/Group No.: 2682

Filing Date: July 3, 2013

Examiner: Nguyen, Nam V.

Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Supplemental Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. *Notice of January 9, 1992, 1135 O.G. 13-25, at 25.*

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2682
 Filing Date: July 3, 2013 Examiner Name: Nguyen, Nam V.
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT’S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	HR		M2M Solutions LLC v. Sierra Wireless America, Inc. and Sierra Wireless, Inc. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Memorandum Opinion</i> , served on November 12, 2013 (20 pages)

Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

Exception(s) to above:

U.S. patent citations are not included pursuant to the United States Patent and Trademark Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person Making This Supplemental Information Disclosure Statement

The person making this certification is the practitioner of record.

Dated: November 20, 2013

/Jonathan C. Lovely, #60,821/

SIGNATURE OF PRACTITIONER

Reg. No.: 60,821

Jonathan C. Lovely

(type or print name of practitioner)

Tel. No.: (617) 443-9292

Sunstein Kann Murphy & Timbers LLP

125 Summer Street, 11th Floor

Firm/Address

Customer No.: 002101

Boston, MA 02110-1618

Address

03781/01014 1999626.1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/934,763	Filing Date 07/03/2013	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT	11/20/2013	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	* 30	Minus	** 30	= 0	X \$40 = 0	
	Independent <small>(37 CFR 1.16(h))</small>	* 3	Minus	***3	= 0	X \$210 = 0	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	0	

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE		

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/RENEE HAWKINS/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
 Filed: 07/03/2013
 For: Programmable Communicator

Group No.: 2682
 Examiner: Nguyen, Nam V.

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

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

- The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
TOTAL	30	– 30	= 0	x \$ 40.00	= \$	0.00
INDEP.	3	– 3	= 0	x \$ 210.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00
				TOTAL ADDIT. FEE	\$	0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: November 8, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely

Registration No. 60,821

SUNSTEIN KANN MURPHY & TIMBERS LLP

125 Summer Street

Boston, MA 02110-1618

617-443-9292

Customer No. 02101

03781/01014 1994782.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Wesby-van Swaay	Att'y Docket:	3781/1014
Appln. No.:	13/934,763	Filing Date:	July 3, 2013
Customer No.:	02101	Conf. No.:	3746
Examiner:	Nguyen, Nam V.	Art Unit:	2682
Invention:	PROGRAMMABLE COMMUNICATOR		

FILED BY USPTO ELECTRONIC FILING SYSTEM

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL AMENDMENT

Dear Sir:

Further to the response filed on October 9, 2013 in response to the Office Action dated September 25, 2013, please amend the above identified application as follows.

Listing of the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

LISTING OF THE CLAIMS

1. (Currently Amended) A programmable communicator device comprising:

a wireless communications circuit for communicating through an antenna over a communications network;

a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

and wherein the one or more wireless transmissions from the programming transmitter comprises a General Packet Radio Service (GPRS) or other wireless packet switched data message;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

2. (Original) A programmable communicator device according to claim 1, wherein the

processing module is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

3. (Original) A programmable communicator device according to claim 1, wherein the programmable communicator device comprises the identity module.

4. (Original) A programmable communicator device according to claim 1 wherein the wireless communications circuit is configured to receive wireless transmissions compliant with Bluetooth wireless air interface standards.

5. (Cancelled)

6. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for processing by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

7. (Original) A programmable communicator device according to claim 1 further configured to transmit the processed data to an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

8. (Original) A programmable communicator device according to claim 7, wherein the processing module is configured to cause the processed data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

9. (Previously Presented) A programmable communicator device according to claim 7

further configured to determine whether a data request initiated by the monitoring device includes a required access code in response to programming instructions received in an incoming wireless packet switched data message.

10. (Original) A programmable communicator device according to claim 9, wherein the processing module is configured to determine whether the data request includes the required access code in response to programming instructions received in an incoming wireless packet switched data message.

11. (Original) A programmable communicator device according to claim 1 further configured to determine whether the processed received data indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

12. (Original) A programmable communicator device according to claim 11 further configured to send an at least one transmission for alerting an at least one monitoring device of said change in status or other alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

13. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

14. (Original) A programmable communicator device according to claim 1 further configured to transmit the received data to an at least one monitoring device either periodically or in response to a data request initiated by the monitoring device in response to programming instructions received in an incoming wireless packet switched data

message.

15. (Original) A programmable communicator device according to claim 14, wherein the processing module is configured to cause the received data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

16. (Cancelled)

17. (Original) A programmable communicator device according to claim 1 configured to process an at least one data monitoring or data collection request contained in an at least one transmission received from an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

18. (Cancelled)

19. (Original) A programmable communicator device according to claim 1 further comprising a location processing module configured to determine an at least one location of the programmable communicator device, and wherein the programmable communicator device is configured to respond to an at least one transmission initiated by an at least one monitoring device requesting that said location data be sent to the monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

20. (Original) A programmable communicator device according to claim 19 wherein the location processing module comprises a Global Positioning System (GPS) module.

21. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a sensor device.

22. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a health monitoring system.

23. (Original) A programmable communicator device according to claim 22 wherein the programmable communicator device is configured to receive data from the health monitoring system through the programmable interface representing at least one of body temperature, blood pressure, periodic or continuous electrocardiogram heart rhythm, blood glucose concentration, blood electrolyte concentration, kidney function, liver function, and labor contractions in response to programming instructions received in an incoming wireless packet switched data message.

24. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a vending machine.

25. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a home or domestic appliance.

26. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is at least one of a door status monitoring device, a window status monitoring device, a proximity detector device, and a fire alarm device.

27. (Currently Amended) A programmable communicator device comprising:

a wireless communications circuit for communicating through an antenna over a communications network;

a programmable interface for establishing a communication link with at least one monitored technical device; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device; and

wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device.

28 (Previously Presented) A programmable communicator device according to claim 27, wherein the programmable communicator is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in at least one incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

29. (Previously Presented) A programmable communicator device according to claim 27, wherein the programmable interface is wirelessly programmable by an incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

30. (Previously Presented) A programmable communicator device according to claim 28 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator device in response to programming instructions received in an incoming short message

service (SMS) data message, a GPRS message, or any wireless packet switched data message.

31 (Previously Presented) A programmable communicator device according to claim 27 wherein the processing module processes received data to determine whether it indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition.

32 (Currently Amended) A programmable communicator device comprising:

- a wireless communications circuit for communicating through an antenna over a communications network;

- a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

- a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

- wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions;

- wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

- and wherein the one or more wireless transmissions from the programming transmitter containing instructions to program the stored number comprise one or more

short message service (SMS) data messages;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in at least one incoming short message service (SMS) data message or packet switched data message.

33 (Previously Presented) A programmable communicator device according to claim 32 wherein the processing module processes received data to determine whether it indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition.

REMARKS

Applicants would like to thank the examiner for the review of the present application and prior art. Applicants request reconsideration of the pending claims in view of the following remarks. Applicants have amended claims 1, 27 and 32 herewith, and previously cancelled claims 5, 16, and 18. Accordingly, claims 1-4, 6-15, 17, and 19-33 are currently under consideration in this application. No new matter has been added.

Interview Summary

Applicants would like to thank the examiner for the telephone interview of November 8, 2013. During the interview, Examiner Nguyen suggested that it was not clear from the claim language that the programmable communicator device was permitted to send outgoing wireless transmissions to the stored telephone numbers or IP addresses. Applicant's counsel and Examiner Nguyen then discussed amending the claims to add the language "and permitted to". Examiner Nguyen indicated that the amendments would put the claims in condition for allowance.

Amendments To the Claims

As mentioned above, during the telephone interview of November 8, 2013, Examiner Nguyen suggested it was not clear from the claims that the programmable communicator device was permitted to send outgoing wireless transmissions the stored number(s). Although Applicants believe that "configured to," in the context of the claim, meant the device was capable of and permitted to send outgoing wireless transmission, to expedite prosecution, Applicants have amended independent claims 1, 27 and 32 to read "the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to and permitted to send outgoing wireless transmissions...."

It is believed that the application is in condition for allowance and Applicant respectfully requests that a notice of allowance be issued. Applicant does not believe any extension of time is required. However, if an extension of time is required, please charge the associated fee and any additional fees required by this paper or credit any overpayment to deposit account number 19-4972. Applicant also requests that the examiner contact applicant's attorney, Jonathan Lovely, if it will assist in processing this application through issuance.

DATE: November 8, 2013

Respectfully submitted,

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
Attorney for Applicant
Sunstein Kann Murphy & Timbers LLP
125 Summer Street

Boston, MA 02110-1618
(617) 443-9292
03781/01014 1994671.1

Electronic Acknowledgement Receipt

EFS ID:	17352132
Application Number:	13934763
International Application Number:	
Confirmation Number:	3746
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Customer Number:	2101
Filer:	Jonathan Lovely
Filer Authorized By:	
Attorney Docket Number:	3781/1014
Receipt Date:	08-NOV-2013
Filing Date:	03-JUL-2013
Time Stamp:	14:45:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Supplemental Response or Supplemental Amendment	klw3781_1014_SuppAmdt.pdf	170905 <small>73ccb65d1d82bbe09ab82db3ef4102350d849f93</small>	no	13

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/934,763	Filing Date 07/03/2013	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT	11/08/2013	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	* 30	Minus	** 30	= 0	X \$40 = 0	
	Independent <small>(37 CFR 1.16(h))</small>	* 3	Minus	***3	= 0	X \$210 = 0	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	0	

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE		

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/ANTHONY WILLIAMS/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 4 columns: APPLICATION NUMBER (13/934,763), FILING OR 371(C) DATE (07/03/2013), FIRST NAMED APPLICANT (Eveline Wesby-van Swaay), ATTY. DOCKET NO./TITLE (3781/1014)

CONFIRMATION NO. 3746

PUBLICATION NOTICE

2101
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618



Title: Programmable Communicator

Publication No. US-2013-0295883-A1
Publication Date: 11/07/2013

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/934,763 07/03/2013 Eveline Wesby-van Swaay 3781/1014 3746

2101 7590 10/10/2013
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

EXAMINER

NGUYEN, NAM V

ART UNIT PAPER NUMBER

2682

NOTIFICATION DATE DELIVERY MODE

10/10/2013

ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@sunsteinlaw.com

<i>Applicant-Initiated Interview Summary</i>	Application No. 13/934,763	Applicant(s) WESBY-VAN SWAAY, EVELINE	
	Examiner NAM V. NGUYEN	Art Unit 2682	

All participants (applicant, applicant's representative, PTO personnel):

- (1) NAM V. NGUYEN. (3) Jonathan C. Lovely (Reg. No.60,821).
(2) _____. (4) _____.

Date of Interview: 02 October 2013.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: None.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Discussed during the interview about the proposed claim amendments. Examiner reviewed and considered the proposed claims 1 and 27, the current proposed claims 1 and 27 does not put into the condition for allowance because the claims 1 and 27 are still very broad. Examiner will reconsider the proposed amendment when officially filed..

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/NAM V NGUYEN/
Primary Examiner, Art Unit 2682

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filing Date: July 3, 2013

Art Unit/Group No.: 2682
Examiner: Nguyen, Nam V.
Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Supplemental Information Disclosure Statement

(Supplemental Information Disclosure Statement--Page 1 of 6)

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. *Notice of January 9, 1992, 1135 O.G. 13-25, at 25.*

(Supplemental Information Disclosure Statement--Page 2 of 6)

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2682
 Filing Date: July 3, 2013 Examiner Name: Nguyen, Nam V.
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	HO		M2M Solutions LLC et al. v. SimCom Wireless Solutions Co., Ltd. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Defendants' First Supplemental Invalidity Contentions</i> , served July 5, 2013 (9 pages)
	HP		M2M Solutions LLC et al. v. SimCom Wireless Solutions Co., Ltd. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Appendices A-Z and AA: Defendants' First Supplemental Invalidity Contentions</i> , served July 5, 2013 (1084 pages)
	HQ		M2M Solutions LLC et al. v. SimCom Wireless Solutions Co., Ltd. et al., U.S.D.C. for the District of Delaware – Civil Action No. 12-030-RGA, <i>Defendants' Sur-Reply Brief on Claim Construction</i> , served July 26, 2013 (19 pages)

Examiner Signature: _____ Date Considered: _____ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation <i>if not</i> in conformance and not considered. Include copy of this form with next communication to applicant.
--

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 13/328,095, filed on December 16, 2011.

The following references were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

Reference Nos.: HO - HQ

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

Exception(s) to above:

U.S. patent citations are not included pursuant to the United States Patent and Trademark Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person Making This Supplemental Information Disclosure Statement

The person making this certification is the practitioner of record.

Dated: October 9, 2013

/Jonathan C. Lovely, #60,821/

SIGNATURE OF PRACTITIONER

Reg. No. 60,821

Jonathan C. Lovely

(type or print name of practitioner)

Tel. No.: (617) 443-9292

Sunstein Kann Murphy & Timbers LLP

125 Summer Street, 11th Floor

Firm/Street Address

Customer No.: 002101

Boston, MA 02110-1618

City/State/Zip Code

03781/01014 1976390.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
 Filed: 07/03/2013
 For: Programmable Communicator

Group No.: 2682
 Examiner: Nguyen, Nam V.

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

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is a small entity.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

- The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		
	CLAIMS	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
	REMAINING AFTER AMENDMENT					
TOTAL	30	– 26	= 4	x \$ 40.00	= \$	160.00
INDEP.	3	– 3	= 0	x \$ 210.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00
				TOTAL ADDIT. FEE	\$	160.00

Total additional fee for claims required \$160.00

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$160.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

FEE DEFICIENCY

6. If an additional fee is required, charge Account No. 19-4972.

Date: October 9, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely

Registration No. 60,821

SUNSTEIN KANN MURPHY & TIMBERS LLP

125 Summer Street

Boston, MA 02110-1618

US

617-443-9292

Customer No. 02101

03781/01014 1976986.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Wesby-van Swaay	Att'y Docket:	3781/1014
Appln. No.:	13/934,763	Filing Date:	July 3, 2013
Customer No.:	02101	Conf. No.:	3746
Examiner:	Nguyen, Nam V.	Art Unit:	2682
Invention:	PROGRAMMABLE COMMUNICATOR		

FILED BY USPTO ELECTRONIC FILING SYSTEM

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

Applicant respectfully submits this Amendment in response to the Office Action dated September 25, 2013 and requests that the following amendments and remarks be considered.

Amendments to the Specification begin on page 2 of this paper.

Listing of the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.

Amendments to the Specification

Please replace the paragraph beginning on page 1, line 3 of the originally filed application with the following amended paragraph.

This patent application is a continuation of and claims priority from all priority dates of U.S. patent application serial number 13/801,773, filed March 13, 2013, now U.S. Patent No. 8,542,111, and entitled “**Programmable Communicator**” (attorney docket number 3781/1010). U.S. patent application serial number 13/801,773 is a continuation of and claims priority to U.S. patent application serial number 13/328,095, filed December 16, 2011, and entitled “**Programmable Communicator**” (attorney docket number 3781/1007), which is a continuation of and claims priority to U.S. patent application serial number 12/538,603, filed August 10, 2009, now U.S. Patent No. 8,094,010, and entitled “**Programmable Communicator**” (attorney docket number 3781/1006), which is a continuation of and claims priority to U.S. patent application serial number 11/329,212, filed January 10, 2006, now U.S. Patent No. 7,583,197, and entitled “**Programmable Communicator**” (attorney docket number 3781/1002), which is a continuation of and claims priority to U.S. Patent Application 10/296,571, filed January 21, 2003, and entitled “**Programmable Communicator**,” which, in turn, is a National Phase filing of and claims priority to PCT/EP01/05738 filed on May 18, 2001, which further claims priority from Finland Application 20001239, filed May 23, 2000. The disclosures of each of these applications are incorporated herein by reference in their entirety.

LISTING OF THE CLAIMS

1. (Currently Amended) A programmable communicator device comprising:

a wireless communications circuit for communicating through an antenna over a communications network;

a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as ~~a list of one or more linked~~ stored telephone numbers or IP addresses to which the programmable communicator device may send outgoing wireless transmissions if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

and wherein the one or more wireless transmissions from the programming transmitter comprises a General Packet Radio Service (GPRS) or other wireless packet switched data message;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

2. (Original) A programmable communicator device according to claim 1, wherein the processing module is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.
3. (Original) A programmable communicator device according to claim 1, wherein the programmable communicator device comprises the identity module.
4. (Original) A programmable communicator device according to claim 1 wherein the wireless communications circuit is configured to receive wireless transmissions compliant with Bluetooth wireless air interface standards.
5. (Cancelled)
6. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for processing by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.
7. (Original) A programmable communicator device according to claim 1 further configured to transmit the processed data to an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.
8. (Original) A programmable communicator device according to claim 7, wherein the processing module is configured to cause the processed data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

9. (Currently Amended) A programmable communicator device according to claim 7 further configured to determine whether ~~the~~ a data request initiated by the monitoring device includes a required access code in response to programming instructions received in an incoming wireless packet switched data message.

10. (Original) A programmable communicator device according to claim 9, wherein the processing module is configured to determine whether the data request includes the required access code in response to programming instructions received in an incoming wireless packet switched data message.

11. (Original) A programmable communicator device according to claim 1 further configured to determine whether the processed received data indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

12. (Original) A programmable communicator device according to claim 11 further configured to send an at least one transmission for alerting an at least one monitoring device of said change in status or other alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

13. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

14. (Original) A programmable communicator device according to claim 1 further configured to transmit the received data to an at least one monitoring device either periodically or in response to a data request initiated by the monitoring device in response

to programming instructions received in an incoming wireless packet switched data message.

15. (Original) A programmable communicator device according to claim 14, wherein the processing module is configured to cause the received data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

16. (Cancelled)

17. (Original) A programmable communicator device according to claim 1 configured to process an at least one data monitoring or data collection request contained in an at least one transmission received from an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

18. (Cancelled)

19. (Original) A programmable communicator device according to claim 1 further comprising a location processing module configured to determine an at least one location of the programmable communicator device, and wherein the programmable communicator device is configured to respond to an at least one transmission initiated by an at least one monitoring device requesting that said location data be sent to the monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

20. (Original) A programmable communicator device according to claim 19 wherein the location processing module comprises a Global Positioning System (GPS) module.

21. (Original) A programmable communicator device according to claim 1 wherein the

monitored technical device is a sensor device.

22. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a health monitoring system.

23. (Original) A programmable communicator device according to claim 22 wherein the programmable communicator device is configured to receive data from the health monitoring system through the programmable interface representing at least one of body temperature, blood pressure, periodic or continuous electrocardiogram heart rhythm, blood glucose concentration, blood electrolyte concentration, kidney function, liver function, and labor contractions in response to programming instructions received in an incoming wireless packet switched data message.

24. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a vending machine.

25. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a home or domestic appliance.

26. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is at least one of a door status monitoring device, a window status monitoring device, a proximity detector device, and a fire alarm device.

27. (New) A programmable communicator device comprising:

a wireless communications circuit for communicating through an antenna over a communications network;

a programmable interface for establishing a communication link with at least one monitored technical device; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device

by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to send outgoing wireless transmissions;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device; and

wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device.

28 (New) A programmable communicator device according to claim 27, wherein the programmable communicator is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in at least one incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

29. (New) A programmable communicator device according to claim 27, wherein the programmable interface is wirelessly programmable by an incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

30. (New) A programmable communicator device according to claim 28 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator device in

response to programming instructions received in an incoming short message service (SMS) data message, a GPRS message, or any wireless packet switched data message.

31 (New) A programmable communicator device according to claim 27 wherein the processing module processes received data to determine whether it indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition.

32 (New) A programmable communicator device comprising:

- a wireless communications circuit for communicating through an antenna over a communications network;

- a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

- a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

- wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as one or more stored telephone numbers or IP addresses if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number, the one or more stored telephone numbers or IP addresses being numbers to which the programmable communicator device is configured to send outgoing wireless transmissions;

- wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

- and wherein the one or more wireless transmissions from the programming transmitter containing instructions to program the stored number comprise one or more

short message service (SMS) data messages;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in at least one incoming short message service (SMS) data message or packet switched data message.

33 (New) A programmable communicator device according to claim 32 wherein the processing module processes received data to determine whether it indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition.

REMARKS

Applicants would like to thank the examiner for the review of the present application and prior art. Applicants request reconsideration of the pending claims in view of the following remarks. Applicants have amended claims 1 and 9, added new claims 27-33, and cancelled claim 5 herewith. Applicants previously cancelled claims 16 and 18. Accordingly, claims 1-4, 6-15, 17, and 19-33 are currently under consideration in this application. No new matter has been added.

Interview Summary

Applicants would like to thank the examiner for the telephone interviews of September 27, 2013, October 2, 2013, and October 7, 2013. During the interviews, Applicant's counsel and Examiner Nguyen discussed the pending claims, various proposed claim amendments (e.g., to address the rejections made within the office action dated September 25, 2013), and two new independent claims.

For example, during the examiner interview of October 7, 2013, Examiner Nguyen and Applicant's counsel discussed proposed amendments to claim 1, as well as new claims 27 and 32 (added herewith). Examiner Nguyen indicated that the proposed amendments overcame the rejection made under 35 USC 112, but requested that the word "may" be removed from line 18 of claim 1 (and the corresponding lines of new claims 27 and 32). Applicant's counsel proposed that the term "may" be replaced with "configured to." Examiner Nguyen indicated that such an amendment would be acceptable.

Amendments To the Specification

The office action objects to the disclosure, suggesting that the cross-reference to related application section should be amended to update the status of application serial number 13/801,773. In particular, the office action points out that application serial number 13/801,773 is now U.S. Patent No. 8,542,111. As mentioned above, Applicants

have amended the specification accordingly. Therefore, Applicants believe that this objection is now moot.

35 USC 112

The office action rejects claims 1-15, 17, and 19-26 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the office action suggests that the limitation "...wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as a list of one or more linked numbers to which the programmable communicator device may send outgoing wireless transmissions if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number..." is confusing and unclear.

As discussed during the examiner interviews summarized above, Applicants have amended claim 1 to clarify this limitation. In particular, Applicants have moved the language "to which the programmable communicator device is configured to send outgoing wireless transmissions" to the end of the limitation to make it clear that that telephone number(s) or IP address(es) contained within the transmission are stored in memory if the processing module authenticates the transmission(s). Accordingly, Applicants believe that the claims are now clear and that this rejection is now moot.

New Claims

As mentioned above, Applicants have added new claims 27-33 herewith. As discussed during the examiner interviews, claims 27 and 32 are similar to amended claim 1. Claims 27-33 are presented to more fully protect the inventions disclosed in the application. Upon review and as discussed during the examiner interview, the examiner has agreed that the new claims cover allowable subject matter.

Additionally, Applicants would like to note that, with the addition of these claims, the application still contains no more than four independent claims, no more than thirty total claims, and no multiple dependent claims. Therefore, Applicants do not believe that this amendment will result in termination of the special status under Track 1 Prioritized Examination.

Comments Regarding Reasons for the Indication of Allowable Subject Matter

On page 4 of the office action dated September 25, 2013, the office action states that prior art fails to teach or suggest the limitation:

“wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions *as a* list of one or more permitted callers to which the programmable communicator device is permitted to be sent to linked telephone number or IP address as outgoing transmissions if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number.”

Although Applicants agree that the prior art of record fails to teach or suggest the above limitation, Applicants would like to note that claim 1 (as filed or as amended herewith) does not refer to “a list of one or more permitted callers.” Rather, claim 1 (and new claims 27 and 32) stores the at least one telephone number or IP address included within the transmission as “as one or more stored telephone numbers or IP addresses,” not a “list of one or more permitted callers.” However, as discussed during the examiner interviews, Applicants believe that the prior art of record fails to teach or suggest the pending claims.

It is believed that the application is in condition for allowance and Applicant respectfully requests that a notice of allowance be issued. Applicant does not believe any extension of time is required. However, if an extension of time is required, please charge the associated fee and any additional fees required by this paper or credit any

Appl. No. 13/934,763
Amendment Dated October 9, 2013
Response to Office Action dated September 25, 2013

overpayment to deposit account number 19-4972. Applicant also requests that the examiner contact applicant's attorney, Jonathan Lovely, if it will assist in processing this application through issuance.

DATE: October 9, 2013

Respectfully submitted,

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
Attorney for Applicant
Sunstein Kann Murphy & Timbers LLP
125 Summer Street

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03781/01014 1968479.1

Electronic Patent Application Fee Transmittal

Application Number:	13934763
Filing Date:	03-Jul-2013
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Filer:	Jonathan Lovely
Attorney Docket Number:	3781/1014

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	4	40	160

Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				250

Electronic Acknowledgement Receipt

EFS ID:	17082361
Application Number:	13934763
International Application Number:	
Confirmation Number:	3746
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Customer Number:	2101
Filer:	Jonathan Lovely
Filer Authorized By:	
Attorney Docket Number:	3781/1014
Receipt Date:	09-OCT-2013
Filing Date:	03-JUL-2013
Time Stamp:	15:36:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$250
RAM confirmation Number	2352
Deposit Account	194972
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		rd3781_1014_ids.pdf	148485 96777e83a997f17e69f307dd2012b5b622c7e4ae	yes	8
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Transmittal Letter	1	2	
		Information Disclosure Statement (IDS) Form (SB08)	3	8	
Warnings:					
Information:					
2	Amendment/Req. Reconsideration-After Non-Final Reject	rd3781_1014_amendment.pdf	134662 c44fefdf75f163efac9c4cc3c3172e1e3d2f4f759	no	16
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31387 93d31c135dc0400225e26e796b20ca41665e36c5	no	2
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Total Files Size (in bytes):			314534		

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filing Date: July 3, 2013

Art Unit/Group No.: 2682
Examiner: Nguyen, Nam V.
Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))

TIME OF TRANSMITTAL OF ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311whichever occurs first.

FEE

2. Accompanying this transmittal is the fee for submission of an information disclosure statement under section 1.97(c). (\$90.00, at the small entity rate)

FEE PAYMENT

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) \$90.00.

Fee due \$90.00

METHOD OF PAYMENT OF FEE

4. Authorization is hereby made to charge the amount of \$90.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

DATE: October 9, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
SUNSTEIN KANN MURPHY & TIMBERS LLP
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125 Summer Street
Boston, MA 02110-1618
UNITED STATES

03781/01014 1976705.1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/934,763	Filing Date 07/03/2013	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	10/09/2013	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total (37 CFR 1.16(i))	* 30	Minus	** 28	= 2	X \$40 = 80
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X \$210 = 0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	80

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/TONI HAKIM/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/934,763	07/03/2013	Eveline Wesby-van Swaay	3781/1014	3746
2101	7590	09/25/2013	EXAMINER	
Sunstein Kann Murphy & Timbers LLP 125 SUMMER STREET BOSTON, MA 02110-1618			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2682	
			NOTIFICATION DATE	DELIVERY MODE
			09/25/2013	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@sunsteinlaw.com

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DETAILED ACTION

The present application is being examined under the pre-AIA first to invent provisions.

The application of Van Swaay for a "programmable communicator" filed July 12 , 2013 has been examined.

This application claims foreign priority based on the application 20001239 filed May 23, 2000 in Finland. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) - (d), which papers have been placed of record in the file.

This application is a CON of 13/801,773 filed March 13, 2013 which is now US PAT No. 8,542,111, which is a CON of 13/328,095 filed December 16, 2011, which is a CON of 12,538,603 filed August 10, 2009 which is now US PAT No. 8,094,010, which is a CON of 11/329,212 filed January 10, 2006 which is now US PAT No. 7,583,197, which is a CON of 10/296,571 filed January 21, 2003 which is abandoned, which is a 371 of PCT/EP01/05738 filed May 18,2001.

Claims 16 and 18 are cancelled.

Claims 1-15, 17 and 19-26 are pending.

Specification

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The disclosure is objected to because of the following informalities: Under cross references to related applications CON status needs to be updated. Application serial number 13/801,773 filed March 13, 2013 which is now US PAT No. 8,542,111.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-15, 17 and 19-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the phrase “wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as a list of one or more linked numbers to which the programmable communicator device may send outgoing wireless transmissions if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number” is confusing and unclear. It is not understood what is meant by such a limitation. This limitation appears to be that the programmable communicator device may or may not send wireless transmission whether or not the transmissions is authenticate or not. Where is this limitation supported by specification?

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Furthermore, as recited in the claim 1, the programmable communicator device able to send outgoing wireless transmissions to any linked numbers with or without authenticate the transmissions.

Referring to claims 2-15, 17 and 19-26 are rejected as being dependent upon a rejected Claim 1 above.

Allowable Subject Matter

Claims 1-15, 17 and 19-26 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and the examiner suggest amending the claim as follow to provide consistency with previous allowable subject matter:

Referring to claim 1, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations:

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions **as a list of one or more permitted callers to which the programmable communicator device is permitted to be sent to linked telephone number or IP address as outgoing transmissions** if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number”

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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."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V. Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Bugg can be reached on 571- 272-2998. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

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

Application/Control Number: 13/934,763

Page 6

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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).

/NAM V NGUYEN/
Primary Examiner, Art Unit 2682

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2	"20100052864"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/02/20 14:19
S2	2	"7297044"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/02/20 15:15
S3	18	("20020077021" "20020155783" "20020187722" "3846603" "4169335" "4913676" "5446236" "5452901" "5587545" "5873765" "6037679" "6075195" "6110000" "6246927" "6264523" "6491566" "6682392" "6822154").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:18
S4	2	"7252572"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:22
S5	45	"6110000"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:24
S6	272	("20010047486" "20010055202" "20020019939" "20020097467" "20020112171" "20020156917" "20020157034" "20020169608" "20030010190" "20030074569" "20030147547" "20030159040" "20040031856" "20040053642" "20040130442" "20040220807" "20040236819" "20040260556" "20050044561" "20050172137" "20050234826" "20060136544" "20060229114" "20060271646" "20060288374" "20070112566" "20070135984" "20070223705" "20080034410" "20080071537" "20080072072" "20080152137" "20080173717" "20090006729" "20090175318" "20100030838" "2990646" "3885089" "3961323" "4207696" "4231184" "4264978" "4353064" "4390877" "4479995" "4614861" "4637007" "4640034" "4641374" "4670746" "4673371" "4677657" "4682370" "4696653"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:26

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"5522089"	"5523749"	"5539819"
"5552790"	"5579537"	"5583933"
"5606732"	"5623552"	"5629867"
"5629981"	"5635701"	"5638047"
"5638450"	"5640003")	PN. OR
("5646907"	"5647787"	"5655945"
"5697829"	"5698836"	"5708853"
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S7	17	"6491566"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:47
S8	173	"4840602"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:58
S9	15	"6729934"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 15:58
S10	34	"6089942"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:01
S11	17	("4245430" "4451911" "4696653" "4840602" "4850930" "4857030" "4923428" "5029214" "5281180" "5324225" "5458524" "5802488" "6089942" "6149490" "6253058" "6445978" "6463859").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:06
S12	1	"6822154".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:11
S13	5	("6822154").URPN.	USPAT	OR	ON	2012/02/20 16:11
S14	12	("1348386" "1462006" "4169335" "4949327" "5040319" "5270480" "5438154" "5550319" "6110000" "6682392").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:11
S15	1	"7059933"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:13
S16	6	("4177453" "4391224" "4701681" "4973941" "5085610" "6246927").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:14
S17	6	"7184423"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:15
S18	8	"6551165"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:15
S19	2	"20070275634"	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 16:17
S20	15	("1804257" "1931139" "20030082987" "2782559" "4508517" "4568300" "4938483" "4940442" "5100153" "5749547" "6491566" "6674259").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/02/20 17:10
S21	46	("5270480").URPN.	USPAT	OR	ON	2012/02/20 17:34
S22	43	("20030037075" "4593904" "4755871"	US-PGPUB;	OR	ON	2012/02/20

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S23	49	("5452901").URPN.	USPAT	OR	ON	2012/02/20 19:22
S24	2	"20020077021"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/02/20 19:52
S25	24	(US-20100052864-\$ or US-20020077021-\$).did. or (US-6822154-\$ or US-6491566-\$ or US-6246927-\$ or US-6110000-\$ or US-7297044-\$ or US-7252572-\$ or US-6380844-\$ or US-6309275-\$ or US-7068941-\$ or US-6641454-\$ or US-6631351-\$ or US-6551165-\$ or US-6497606-\$ or US-6364735-\$ or US-7137862-\$ or US-6682390-\$ or US-6445978-\$ or US-4923428-\$ or US-5270480-\$ or US-5752880-\$ or US-6352478-\$ or US-6160986-\$).did.	US-PGPUB; USPAT	OR	ON	2012/02/20 19:58
S26	9	S25 and identification	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/02/20 19:58
S27	36	("6352478").URPN.	USPAT	OR	ON	2012/02/20 20:18
S28	25	("6380844").URPN.	USPAT	OR	ON	2012/07/06 15:54
S29	11	("6551165").URPN.	USPAT	OR	ON	2012/07/06 22:50
S30	124	("4923428").URPN.	USPAT	OR	ON	2012/07/06 23:06
S31	95	340/7.35.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/07/07 10:48
S32	23	("4155042" "4415771" "4633515" "4796024" "4956875" "5012234" "5121430" "5193216" "5320561"	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 11:04

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S33	3	("4870402" "5784001" "6020828").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 11:05
S34	54	("5784001").URPN.	USPAT	OR	ON	2012/07/07 11:08
S35	5	("4897835" "5452356" "5537407" "5552779" "5784001").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 11:32
S36	5	("5153582" "5307399" "5351235" "5596318" "5678179").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 11:56
S37	15	("6085068").URPN.	USPAT	OR	ON	2012/07/07 11:57
S38	10991	transmit\$4 same message same identifier	USPAT	OR	ON	2012/07/07 14:47
S39	1700	transmit\$4 same message adj2 identifier	USPAT	OR	ON	2012/07/07 14:48
S40	177	S39 and "340"/\$.cls.	USPAT	OR	ON	2012/07/07 14:48
S41	2899	transmit\$4 same message adj2 code	USPAT	OR	ON	2012/07/07 15:04
S42	478	S41 and "340"/\$.cls.	USPAT	OR	ON	2012/07/07 15:04
S43	0	S42 and program same toy	USPAT	OR	ON	2012/07/07 15:04
S44	7	S42 and program and toy	USPAT	OR	ON	2012/07/07 15:04
S45	5	("5087905" "5627525" "5701258" "5784001" "5828313").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 15:06
S46	5	("5087905" "5627525" "5701258" "5784001" "5828313").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 15:08
S47	3	("6032025").URPN.	USPAT	OR	ON	2012/07/07 15:08
S48	16	("4559526" "4799059" "4940974" "4962377" "5155469" "5166664" "5307349" "5477215" "5530437" "5576700" "5649294" "5918158" "5929779" "5952922" "5973613" "6054928").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 16:24
S49	4	("6917281").URPN.	USPAT	OR	ON	2012/07/07 16:26
S50	200	("4065642" "4072824" "4087638" "4103107" "4117542" "4126768" "4172969" "4178475" "4178476" "4263480" "4266098" "4304968" "4313035" "4336524" "4356519" "4368989" "4378551" "4388000" "4408099" "4424514" "4427848" "4427980" "4438433" "4477807" "4490579" "4600809" "4608460"	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/07 16:54

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S51	7	encod\$4 adj2 simplex adj2 signal	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2012/12/02 10:24

			IBM_TDB			
S52	90	event adj2 identifier same source adj2 identifier	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/12/02 10:26
S53	3	("20020165987" "5490217" "6173239").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/12/02 10:28
S54	0	("8150942").URPN.	USPAT	OR	ON	2012/12/02 10:28
S55	5	event adj2 identifier and source adj2 identifier and (program\$4 adj2 block)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/12/02 10:36
S56	5	event adj2 identifier and source adj2 identifier and (program\$4 adj2 block\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/12/02 10:37
S57	75	event adj2 identifier and (program\$4 adj2 block\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/12/02 10:38
S58	36	("20020013802" "20020088926" "20030008684" "20030129944" "20030135533" "20030149741" "20030161327" "20030174731" "20030177275" "20030178273" "20030233485" "20040142682" "20040174855" "20040199613" "20040266480" "20050057370" "20050060704" "20060005132" "20060181406" "20070180436" "20080112313" "4843606" "5245608" "5774461" "5892769" "6195760" "6266781" "6295447" "6366826" "6411991" "6437692" "6522628" "6611834" "7020501" "7069027" "7076211").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/12/02 10:42
S59	171	identifier and (program\$4 adj2 block\$4) and toy\$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/12/02 10:47
S60	3	S59 and (source adj2 identifier)	US-PGPUB; USPAT; USOCR; FPRS;	OR	ON	2012/12/02 10:48

			EPO; JPO; DERWENT; IBM_TDB			
S61	2	"7583197".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/08/08 10:57
S62	4	"8094010"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/08/08 11:37
S63	2	"8094010".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/19 10:54
S64	1	"8542111"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/19 10:55
S65	17886	transmit\$4 same telephone adj2 number and identification	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/19 11:24
S66	1824	transmit\$4 same telephone adj2 number same identification adj2 number	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/19 11:24
S67	14	S66 and (permit\$4 adj2 caller)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/19 11:25

9/ 20/ 2013 10:14:58 PM

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communicator dev.wsp

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: ~~Not Yet Assigned~~ Nam Nguyen
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
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	AB	US 4,658,096	Apr.14, 1987	West, Jr. et al.	379/59
	AC	US 4,855,713	Aug. 8, 1989	Brunius	340/506
	AD	US 4,908,853	Mar. 13, 1990	Matsumoto	379/355
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	AH	US 5,293,418 A	Mar. 8, 1994	Fukawa	379/58
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	AN	US 5,581,599 A	Dec. 3, 1996	Tsuji et al.	379/63
	AO	US 5,581,803 A	Dec. 3, 1996	Grube et al.	455/54.1
	AP	US 5,623,533 A	Apr. 22, 1997	Kikuchi et al.	379/58
	AQ	US 5,689,442 A	Nov. 18, 1997	Swanson et al.	364/550
	AR	US 5,689,563 A	Nov. 18, 1997	Brown et al.	380/23
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	AU	US 5,745,049 A	Apr. 28, 1998	Akiyama et al.	340/870.17
	AV	US 5,752,976 A	May 19, 1998	Duffin et al.	607/32
	AW	US 5,771,455 A	Jun. 23, 1998	Kennedy, III et al.	455/456
	AX	US 5,774,804 A	Jun. 30, 1998	Williams	455/419
	AY	US 5,802,460 A	Sep. 1, 1998	Parvulescu et al.	455/92
	AZ	US 5,831,545 A	Nov. 3, 1998	Murray et al.	340/825.49
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Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

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Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

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U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
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	BG	US 5,960,366 A	Sep. 28, 1999	Duwaer	455/556
	BH	US 5,974,312 A	Oct. 26, 1999	Hayes, Jr. et al.	455/419
	BI	US 5,995,603 A	Nov. 30, 1999	Anderson	379/142
	BJ	US 5,997,476 A	Dec. 7, 1999	Brown	600/300
	BK	US 5,999,990 A	Dec. 7, 1999	Sharrit et al.	710/8
	BL	US 6,026,293 A	Feb. 15, 2000	Osborn	455/411
	BM	US 6,031,828 A	Feb. 29, 2000	Koro et al.	370/336
	BN	US 6,038,491 A	Mar. 14, 2000	McGarry et al.	700/231
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	BP	US 6,072,396 A	Jun. 6, 2000	Gaukel	340/573.4
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	CC	US 6,215,994 B1	Apr. 10, 2001	Schmidt et al.	455/419
	CD	US 6,230,002 B1	May 8, 2001	Flodén et al.	455/411
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	CI	US 6,308,083 B2	Oct. 23, 2001	King	455/556
	CJ	US 6,314,270 B1	Nov. 6, 2001	Uchida	455/67.1

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

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 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
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	CL	US 6,411,198 B1	Jun. 25, 2002	Hirai et al.	340/7.6
	CM	US 6,424,623 B1	Jul. 23, 2002	Borgstahl et al.	370/230
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	CO	US 6,487,478 B1	Nov. 26, 2002	Azzaro et al.	701/24
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Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

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 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

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 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

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	DY	EP	0 524 652 A2	Jan. 27, 1993	Ransome Industries Ltd.	H04M 1/274
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OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	FJ	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Network architecture (GSM 03.02, version 5.0.0), TS/SMG-030302Q, 20 pages (March, 1996)</i>
	FK	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface (GSM 11.11, version 5.3.0), TS/SMG-091111QR1, 113 pages (July, 1996)</i>

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	FL	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the SIM Application Toolkit for the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface (GSM 11.14, version 5.1.0), TS/SMG-091114Q, 54 pages (August, 1996)</i>
	FM	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the SIM Application Toolkit for the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface., GSM 11.14, version 5.4.0), TS/SMG-091114Q, 56 pages (July, 1997)</i>
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	FR	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the SIM application toolkit for the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface (GSM 11.14, version 6.2.0, Release 1997), 82 pages (November, 1998)</i>
	FS	GEMPLUS	<i>Gemplus' start SIM card for advanced GSM services, Microprocessor Cards, GemXplore98 Product Sheet, 2 pages (May, 1999)</i>
	FT	Novatel Wireless	<i>Novatel CDPD (Cellular Digital Packet Data) Software, 42 pages (1999)</i>
	FU	Phonetics, Inc.	<i>Sensaphone 2000 User's Manual, Version 3.0, 118 pages (January, 1998)</i>
	FV	Phonetics, Inc.	<i>Sensaphone 1104, Sensaphone 1108 Potential Disasters, Science/Health/Labs archived website page (http://www.sensaphone.com/pages/HealthPage.html), 2 pages (December, 1998)</i>
	FW	Siemens	<i>Siemens Private Communication Systems, Technical Description of the Siemens A1, Edition 5, 53 pages (January, 1998)</i>
	FX	Siemens	<i>Siemens GSM Module M1 User Guide, 76 pages (1996)</i>

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	FZ	Siemens	<i>Cellular Engine Siemens M20 / M20 Terminal, Technical Description</i> , Version 5, 209 pages (March, 1999)
	GA	Siemens	<i>Cellular Engine Siemens M20 / M20 Terminal, Technical Description</i> , Version 7, 221 pages (October, 1999)
	GB	Sierra Wireless	<i>Dart 200 CDPD Modem, For CDPD Versions 1.0 and 1.1, User's Guide</i> , 206 pages (January, 1998)
	GC	Sine Systems, Inc.	<i>Model RFC-1/B, Remote Facilities Controller, archived website page</i> (http://www.sinesys.com/html/rfcl.html), 4 Pages (February, 1998)
	GD	Sine Systems, Inc.	<i>Remote Facilities Controller, Model RFC-1/B, Relay Panel, Model RP-8, Installation and Operation</i> , 97 pages (1999)
	GE	Sine Systems, Inc.	<i>Model RFC-1/B Remote Facilities Controller: Dial-up/Automated Transmitter Control System</i> , Press Release, 2 pages (July, 1999)
	GF	Telital	<i>GSM Datablock Product Specification</i> , Revision 2, 30 pages (November, 1997)
	GG	Telital	Technologies archived website page (http://www.telital.com/technologE.html), 2 pages (April, 2000)

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	GI	Telital Automotive	<i>Telefono GSM Datablock II con funzioni Voce/Dati/Fax/SMS, 91 pages (February, 1999)</i>
	GJ	Telular Corporation	<i>Annual Report, 48 pages (1998)</i>
	GK	WAVECOM	<i>Wavecom GSM Modem, Wavecom WM01-G900, Version 7.3, Reference WCOM/GSM/WMO1-G900/modATcmd, 67 pages (December, 1997)</i>
	GL	WAVECOM	<i>WISMO Wireless Standard Module, WM1B-G1900 PCS Module Specifications driven by AT commands, Version 1.2, Reference WCOM/PCS/8001 45 pages (September, 1998)</i>
	GM	WAVECOM	<i>WM02 Modem Series GSM 900 /1800 /1900 User Manual, 23 pages (April, 1999)</i>
	GN	WAVECOM	<i>WISMO Wireless Standard Module, WM2C-G900/G1800 EGSM/DCS DUAL BAND Module Specifications, Verion 0.7, Reference: WCOM/GSM/WM2C_07, 51 pages (September, 1999)</i>
	GO	Azzaro et al.	Provisional Application – 60/162,249, dated October 28, 1999 (21 pages)
	GP	3GPP (3 rd Generation Partnership Project)	<i>3rd Generation Partnership Project; Technical Specification Group Terminals; Characteristics of the USIM Application (3G TS 31.102, version 3.0.), 104 pages (January, 2000)</i>

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	GR	3GPP (3rd Generation Partnership Project)	<i>3rd Generation Partnership Project; Technical Specification Group Terminals; USIM Application Toolkit (USAT) (3G TS 31.111, version 3.0.0, Release 1999), 138 pages (April, 2000)</i>
	GS	Akselsen et al.	<i>Telemedicine and ISD, IEEE Communications Magazine, pp. 46-51 (January, 1993)</i>
	GT	Bettstetter et al.	<i>GSM Phase 2+ General Packet Radio Service GPRS: Architecture, Protocols, and Air Interface, IEEE Communications Surveys, http://www.comsoc.org/pubs/surveys, Vol. 2, No.3, pp. 2-14 (1999)</i>
	GU	Bult et al.	<i>Low Power Systems for Wireless Microsensors, UCLA Electrical Engineering Department, Los Angeles, CA and Rockwell Science Center, Thousand Oaks, CA, 5 pages (1996)</i>
	GV	Carman et al / NAI Labs	<i>A Communications Security Architecture and Cryptographic Mechanisms for Distributed Sensor Networks, DARPA/ITO Sensor IT Workshop, 24 pages (October, 1999)</i>
	GW	Chandrakasan et al.	<i>Design Considerations for Distributed Microsensor Systems, Department of EECS, Massachusetts Institute of Technology, Cambridge, MA, IEEE 1999, Custom Intergrated Circuits Conference, 8 Pages (1999)</i>

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	GX	Godfrey	<i>A Comparison of Security Protocols in a Wireless Network Environment</i> , A thesis presented to the University of Waterloo, Ontario, Canada, 87 pages (1995)
	GY	Hodes et al.	<i>Composable ad hoc location-based services for heterogeneous mobile clients</i> , Wireless Networks 5, pp. 411-427 (1999)
	GZ	Istepanian et al.	<i>Design of mobile telemedicine systems using GSM and IS-54 cellular telephone standards</i> , Journal of Telemedicine and Telecare, Vol. 4, Supplement 1, pp. 80-82 (1999)
	HA	Istepanian	<i>Modelling of GSM-based Mobile Telemedical System</i> , Proceedings of the 20 th Annual International Conference of the IEEE Engineering in Medicine and Biology Society, Vol. 20, No. 3, pp. 1166-1169 (1998)
	HB	Kahn et al.	<i>Next Century Challenges: Mobile Networking for "Smart Dust"</i> , Department of Electrical Engineering and Computer Science, 8 pages (1999)
	HC	Miles	<i>System Monitoring, Messaging and Notification</i> , Proceedings of SAGE-AU, 15 pages (June, 1999)
	HD	Pavlopoulos et al.	<i>A Novel Emergency Telemedicine System Based on Wireless Communication Technology - "Ambulance"</i> , IEEE Transactions on Information in Biomedicine, Vol. 2, No.4, pp. 261-267 (1998)
	HE	Prasad et al.	<i>Security Architecture for Wireless LANs: Corporate & Public Environment</i> , IEEE VTC, pp. 283-287 (2000)

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	HF	Redl et al.	<i>GSM and Personal Communications Handbook</i> , ISBN 0-89006-957-3, 80 pages (1998)
	HG	Schlumberger	<i>Schlumberger Java SIMs and Over-the-Air Server Allow Sunday to Evolve Phones Into Multi-Service Terminals</i> , 3 pages (July, 1999)
	HH	Steiner et al.	<i>Kerberos: An Authentication Service for Open Network Systems</i> , Project Athena, Massachusetts Institute of Technology, 15 pages (1988)
	HI	Taylor et al.	<i>Internetwork Mobility: The CDPD Approach</i> , 334 pages (June, 1996)
	HJ	Wu et al.	<i>A Mobile System for Real-Time Patient- Monitoring with Integrated Physiological Signal Processing</i> , Proceedings of the First Joint BMES/EMBS Conference Serving Humanity, Advancing Technology, Atlanta, GA (October, 1999)
	HK	U.S.D.C. for the District of Delaware	Defendant's Initial Invalidity Contentions, including Appendix A-Z, AA and DD, 1046 pages (served on March 8, 2013)
	HL	U.S.D.C. for the District of Delaware	Defendant's Kowatec's Initial Invalidity Contentions, 3 pages (served April 15, 2013)
	HM	U.S.D.C. for the District of Delaware	Appendices DD-EE for Defendant's Kowatec's Initial Invalidity Contentions, 126 pages (served on April 15, 2013)
	HN	U.S.D.C. for the District of Delaware	Defendant's Answering Brief, 39 pages (served on June 21, 2013)

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Examiner Signature:	<u> /Nam Nguyen/ </u>
Date Considered:	<u> 09/20/2013 </u>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation <i>if not</i> in conformance and not considered. Include copy of this form with next communication to applicant.	

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial Number: 13/801,773, filed March 13, 2013.

[X] This application also relies, under 35 U.S.C. section 120, on the earlier filing date of prior application Serial Number: 13/328,095, filed December 16, 2011.

[X] This application also relies, under 35 U.S.C. section 120, on the earlier filing date of prior application Serial Number: 12/538,603, filed August 10, 2009.

[X] This application also relies, under 35 U.S.C. section 120, on the earlier filing date of prior application Serial Number: 11/329,212, filed January 10, 2006.

[X] This application also relies, under 35 U.S.C. section 120, on the earlier filing date of prior application Serial Number: 10/296,571, filed, January 21, 2003.

The following references were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

Reference Nos.: AA - HM

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

Exception(s) to above:

U.S. patent citations are not included pursuant to the United States Patent and Trademark Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

Cumulative patents or publications identified in Section 5.

Section 8. Translation(s) of Non-English Language Documents

Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

Reference **DX** is believed to be the English abstract of Reference **DW**
Reference **EB** is believed to be the English abstract of Reference **EA**
Reference **ED** is believed to be the English abstract of Reference **EC**
Reference **EF** is believed to be the English abstract of Reference **EE**
Reference **EI** is believed to be the English abstract of Reference **EH**
Reference **EK** is believed to be the English abstract of Reference **EJ**
Reference **EU** is believed to be the English abstract of Reference **ET**
Reference **EW** is believed to be the English abstract of Reference **EV**
Reference **EY** is believed to be the English abstract of Reference **EX**
Reference **FD** is believed to be the English abstract of Reference **FC**
Reference **FF** is believed to be the English abstract of Reference **FE**
Reference **FH** is believed to be the English abstract of Reference **FG**

Section 10. Identification of Person Making This Information Disclosure Statement

The person making this certification is the practitioner of record.

Dated: July 12, 2013

/Jonathan C. Lovely, #60,821/

SIGNATURE OF PRACTITIONER

Reg. No. 60,821

Jonathan C. Lovely

(type or print name of practitioner)

Tel. No.: (617) 443-9292

Sunstein Kann Murphy & Timbers LLP

125 Summer Street, 11th Floor


Firm/Street Address

Customer No.: 002101

Boston, MA 02110-1618

City/State/Zip Code

03781/01014 1922383.1

Search Notes 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE
	Examiner NAM V NGUYEN	Art Unit 2682

CPC- SEARCHED		
Symbol	Date	Examiner
H04M 3/00; H04Q 7/200; G08B 1/08; H04Q 1/30	9/19/13	NN


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
340	7.29; 7.33; 7.52; 529.12; 573.4; 693.5	9/19/13	NN
455	456; 456.2; 418; 419; 425	9/19/13	NN
379	142; 373; 375	9/19/13	NN

SEARCH NOTES		
Search Notes	Date	Examiner
Search EAST: USPAT; US-PUB; EPO; JPO; and Derwent.	9/19/13	NN
Search terms: authorized list in cellular phone with monitoring device; sensor; monitoring central station with address; code; number; id code; ip address or phone number.	9/19/13	NN
CON from 13/328,095 and previous continuous of this cases.	9/19/13	NN

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

	/N.V.N./ Primary Examiner.Art Unit 2682
--	--

Index of Claims 	Application/Control No. 13934763	Applicant(s)/Patent Under Reexamination WESBY-VAN SWAAY, EVELINE
	Examiner NAM V NGUYEN	Art Unit 2682

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47


CLAIM		DATE							
Final	Original	09/20/2013							
	1	✓							
	2	✓							
	3	✓							
	4	✓							
	5	✓							
	6	✓							
	7	✓							
	8	✓							
	9	✓							
	10	✓							
	11	✓							
	12	✓							
	13	✓							
	14	✓							
	15	✓							
	16	-							
	17	✓							
	18	-							
	19	✓							
	20	✓							
	21	✓							
	22	✓							
	23	✓							
	24	✓							
	25	✓							
	26	✓							


UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450
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BIB DATA SHEET
CONFIRMATION NO. 3746

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
13/934,763	07/03/2013	340	2682	3781/1014		
APPLICANTS M2M Solutions LLC, Stratford-upon-Avon, UNITED KINGDOM, Assignee (with 37 CFR 1.172 Interest); Eveline Wesby-van Swaay, Stratford-upon-Avon, UNITED KINGDOM;						
** CONTINUING DATA ***** Yes /NN/ This application is a CON of 13/801,773 03/13/2013 PAT 8542111 which is a CON of 13/328,095 12/16/2011 which is a CON of 12/538,603 08/10/2009 PAT 8094010 which is a CON of 11/329,212 01/10/2006 PAT 7583197 which is a CON of 10/296,571 01/21/2003 ABN which is a 371 of PCT/EP01/05738 05/18/2001						
** FOREIGN APPLICATIONS ***** Yes /NN/ FINLAND 20001239 05/23/2000						
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 07/25/2013						
Foreign Priority claimed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 35 USC 119(a-d) conditions met <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Verified and Acknowledged <u>/NAM V NGUYEN/</u> <small>Examiner's Signature</small>		<input type="checkbox"/> Met after Allowance NN <small>Initials</small>	STATE OR COUNTRY UNITED KINGDOM	SHEETS DRAWINGS 3	TOTAL CLAIMS 24	INDEPENDENT CLAIMS 1
ADDRESS Sunstein Kann Murphy & Timbers LLP 125 SUMMER STREET BOSTON, MA 02110-1618 UNITED STATES						
TITLE Programmable Communicator						
FILING FEE RECEIVED 1270	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:			<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

Application Number 	Application/Control No. 13/934,763	Applicant(s)/Patent under Reexamination WESBY-VAN SWAAY, EVELINE

Document Code - DISQ	Internal Document – DO NOT MAIL
-----------------------------	--

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 7/12/13	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

4 td's
Jean Proctor

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wesby-van Swaay

Application No.: 13/934,763

Group No.: Not yet assigned

Filed: July 3, 2013

Examiner: Not yet assigned

For: Programmable Communicator (PRIORITIZED EXAM - TRACK 1)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT REGARDING PRIORITY DOCUMENT

The priority document for the above-captioned application is contained in the parent applications, application no. 13/801,773 (our file 3781/1010), and application no. 10/296,571 (our file 3781/1001, formerly our file 1503/104). We have received confirmation from the U.S. PTO that the priority document was submitted for the parent applications. Please see the Supplemental Notice of Allowance dated August 14, 2013, and the 371 Formalities Letter dated March 10, 2003, copies of which is attached.

Accordingly, we are not re-submitting the priority document for the present application.

The priority application is as follows:

Country: Finland

Application Number: 20001239

Filing Date: May 23, 2000

Date: August 27, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely

Registration No. 60,821

Sunstein Kann Murphy & Timbers LLP

125 Summer Street

Boston, MA 02110-1618

617-443-9292

Customer No. 02101

03781/01014 1949285.1



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/801,773	03/13/2013	Eveline Wesby-van Swaay	3781/1010	7047
2101	7590	08/14/2013	EXAMINER	
Sunstein Kann Murphy & Timbers LLP 125 SUMMER STREET BOSTON, MA 02110-1618			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2682	
			NOTIFICATION DATE	DELIVERY MODE
			08/14/2013	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@sunsteinlaw.com

Supplemental Notice of Allowability	Application No. 13/801,773	Applicant(s) WESBY-VAN SWAAY, EVELINE	
	Examiner NAM V. NGUYEN	Art Unit 2682	AIA (First Inventor to File) Status No

-- 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 7/12/13.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 21-50. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/oph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- 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.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 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)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>7/12/13</u> 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Examiner's Amendment/Comment 6. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____. |
|--|---|

/NAM V NGUYEN/
Primary Examiner, Art Unit 2682

26525



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/296,571	Eveline Wesby Van Swaay	PA2652US

INTERNATIONAL APPLICATION NO.
PCT/EP01/05738

I.A. FILING DATE	PRIORITY DATE
05/18/2001	05/23/2000

Scott S Kokka
Carr & Ferrell
2225 E Bayshore Rd
Suite 200
Palo Alto, CA 94303

CONFIRMATION NO. 7523

371 FORMALITIES LETTER



OC00000009618706

Date Mailed: 03/10/2003

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/296,571	PCT/EP01/05738	PA2652US

FORM PCT/DO/EO/905 (371 Formalities Notice)

Electronic Acknowledgement Receipt

EFS ID:	16699148
Application Number:	13934763
International Application Number:	
Confirmation Number:	3746
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Customer Number:	2101
Filer:	Jonathan Lovely
Filer Authorized By:	
Attorney Docket Number:	3781/1014
Receipt Date:	27-AUG-2013
Filing Date:	03-JUL-2013
Time Stamp:	16:23:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	klw3781_1014_Statement.pdf	288670 <small>bfb922668748425554c7ee4f58f15e6adffa1189</small>	no	5

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

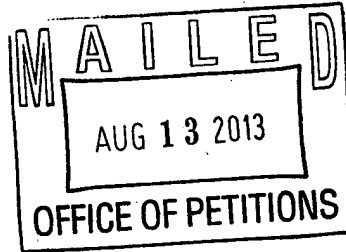
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON MA 02110-1618



Doc Code: TRACK1.GRANT

Decision Granting Request for Prioritized Examination (Track I or After RCE)	Application No.: 13/934,763
<p>1. THE REQUEST FILED <u>July 3, 2013</u> IS GRANTED.</p> <p>The above-identified application has met the requirements for prioritized examination</p> <p>A. <input checked="" type="checkbox"/> for an original nonprovisional application (Track I).</p> <p>B. <input type="checkbox"/> for an application undergoing continued examination (RCE).</p> <p>2. The above-identified application will undergo prioritized examination. The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:</p> <p>A. filing a <u>petition for extension of time</u> to extend the time period for filing a reply;</p> <p>B. filing an <u>amendment to amend the application to contain more than four independent claims, more than thirty total claims</u>, or a multiple dependent claim;</p> <p>C. filing a <u>request for continued examination</u>;</p> <p>D. filing a notice of appeal;</p> <p>E. filing a request for suspension of action;</p> <p>F. mailing of a notice of allowance;</p> <p>G. mailing of a final Office action;</p> <p>H. completion of examination as defined in 37 CFR 41.102; or</p> <p>I. abandonment of the application.</p> <p>Telephone inquiries with regard to this decision should be directed to <u>JoAnne Burke</u> at <u>571-272-4584</u>. In his/her absence, calls may be directed to <u>Brian Brown</u>, <u>571-272-5338</u>.</p> <p><u>/JoAnne Burke</u> [Signature]</p> <p><u>Paralegal Specialist</u> (Title)</p>	



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/934,763	07/03/2013	Eveline Wesby-van Swaay	3781/1014

CONFIRMATION NO. 3746

POA ACCEPTANCE LETTER

2101
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618



Date Mailed: 08/06/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/03/2013.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/zretta/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
13/934,763

APPLICATION AS FILED - PART I

	(Column 1)	(Column 2)
FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	24 minus 20 = *	4
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

SMALL ENTITY	
RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	160
x 210 =	0.00
	0.00
	0.00
TOTAL	890

OTHER THAN SMALL ENTITY	
RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* Minus **	=
	Independent (37 CFR 1.16(h))	* Minus ***	=
	Application Size Fee (37 CFR 1.16(s))		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))		

SMALL ENTITY	
RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* Minus **	=
	Independent (37 CFR 1.16(h))	* Minus ***	=
	Application Size Fee (37 CFR 1.16(s))		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))		

SMALL ENTITY	
RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 13/934,763, 07/03/2013, 2642, 1270, 3781/1014, 24, 1

CONFIRMATION NO. 3746

2101
Sunstein Kann Murphy & Timbers LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

FILING RECEIPT



Date Mailed: 08/01/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Eveline Wesby-van Swaay, Stratford-upon-Avon, UNITED KINGDOM;

Applicant(s)

M2M Solutions LLC, Stratford-upon-Avon, UNITED KINGDOM

Power of Attorney: The patent practitioners associated with Customer Number 02101

Domestic Priority data as claimed by applicant

This application is a CON of 13/801,773 03/13/2013
which is a CON of 13/328,095 12/16/2011
which is a CON of 12/538,603 08/10/2009 PAT 8094010
which is a CON of 11/329,212 01/10/2006 PAT 7583197
which is a CON of 10/296,571 01/21/2003 ABN
which is a 371 of PCT/EP01/05738 05/18/2001

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

FINLAND 20001239 05/23/2000 No Access Code Provided

Permission to Access - A proper Authorization to Permit Access to Application by Participating Offices (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 07/25/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 13/934,763

Projected Publication Date: 11/07/2013

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Programmable Communicator

Preliminary Class

455

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
 Filed: 07/03/2013
 For: Programmable Communicator

Group No.: 2642
 Examiner: Not yet assigned

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

AMENDMENT TRANSMITTAL

- Transmitted herewith is a Preliminary Amendment for this application.

STATUS

- Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

- The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		
	CLAIMS	HIGHEST NO.	PRESENT			
	REMAINING	PREVIOUSLY	EXTRA	RATE	ADDIT.	
	AFTER	PAID FOR			FEE	
	AMENDMENT					
TOTAL	24	– 26	= 0	x \$ 40.00	= \$	0.00
INDEP.	1	– 3	= 0	x \$ 210.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00
				TOTAL		
				ADDIT. FEE	\$	0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: July 12, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely

Registration No. 60,821

SUNSTEIN KANN MURPHY & TIMBERS LLP

125 Summer Street

Boston, MA 02110-1618

617-443-9292

Customer No. 02101

03781/01014 1923080.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Wesby-van Swaay	Att'y Docket:	3781/1014
Appln. No.:	13/934,763	Filing Date:	July 3, 2013
Customer No.:	02101	Conf. No.:	3746
Examiner:	Not yet assigned	Art Unit:	2642
Invention:	PROGRAMMABLE COMMUNICATOR		

FILED BY USPTO ELECTRONIC FILING SYSTEM

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the above identified application as follows:

Listing of the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

LISTING OF THE CLAIMS

1. (Original) A programmable communicator device comprising:

a wireless communications circuit for communicating through an antenna over a communications network;

a programmable interface for establishing a communication link with at least one monitored technical device, wherein the programmable interface is programmable by wireless packet switched data messages; and

a processing module for authenticating one or more wireless transmissions sent from a programming transmitter and received by the programmable communicator device by determining if at least one transmission contains a coded number;

wherein the programmable communicator device is configured to use a memory to store at least one telephone number or IP address included within at least one of the transmissions as a list of one or more linked numbers to which the programmable communicator device may send outgoing wireless transmissions if the processing module authenticates the at least one of the transmissions including the at least one telephone number or IP address and the coded number by determining that the at least one of the transmissions includes the coded number;

wherein the programmable communicator device is configured to use an identity module for storing a unique identifier that is unique to the programmable communicator device;

and wherein the one or more wireless transmissions from the programming transmitter comprises a General Packet Radio Service (GPRS) or other wireless packet switched data message;

and wherein the programmable communicator device is configured to process data received through the programmable interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

2. (Original) A programmable communicator device according to claim 1, wherein the processing module is configured to process data received through the programmable

interface from the at least one monitored technical device in response to programming instructions received in an incoming wireless packet switched data message.

3. (Original) A programmable communicator device according to claim 1, wherein the programmable communicator device comprises the identity module.

4. (Original) A programmable communicator device according to claim 1 wherein the wireless communications circuit is configured to receive wireless transmissions compliant with Bluetooth wireless air interface standards.

5. (Original) A programmable communicator device according to claim 1 wherein each linked number comprises a corresponding stored telephone number or IP address stored into a permitted callers list to which the wireless communications circuit is restricted to send outgoing wireless transmissions in response to programming instructions received in an incoming wireless packet switched data message.

6. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for processing by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

7. (Original) A programmable communicator device according to claim 1 further configured to transmit the processed data to an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

8. (Original) A programmable communicator device according to claim 7, wherein the processing module is configured to cause the processed data to be transmitted to the at least one monitoring device in response to programming instructions received in an

incoming wireless packet switched data message.

9. (Original) A programmable communicator device according to claim 7 further configured to determine whether the data request initiated by the monitoring device includes a required access code in response to programming instructions received in an incoming wireless packet switched data message.

10. (Original) A programmable communicator device according to claim 9, wherein the processing module is configured to determine whether the data request includes the required access code in response to programming instructions received in an incoming wireless packet switched data message.

11. (Original) A programmable communicator device according to claim 1 further configured to determine whether the processed received data indicates a change in status of the at least one monitored technical device that crosses a threshold parameter, or that otherwise indicates an alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

12. (Original) A programmable communicator device according to claim 11 further configured to send an at least one transmission for alerting an at least one monitoring device of said change in status or other alarm condition in response to programming instructions received in an incoming wireless packet switched data message.

13. (Original) A programmable communicator device according to claim 1 further configured to request that an at least one monitored technical device send data through the programmable interface for receipt by the programmable communicator device in response to programming instructions received in an incoming wireless packet switched data message.

14. (Original) A programmable communicator device according to claim 1 further

configured to transmit the received data to an at least one monitoring device either periodically or in response to a data request initiated by the monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

15. (Original) A programmable communicator device according to claim 14, wherein the processing module is configured to cause the received data to be transmitted to the at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

16. (Cancelled)

17. (Original) A programmable communicator device according to claim 1 configured to process an at least one data monitoring or data collection request contained in an at least one transmission received from an at least one monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

18. (Cancelled)

19. (Original) A programmable communicator device according to claim 1 further comprising a location processing module configured to determine an at least one location of the programmable communicator device, and wherein the programmable communicator device is configured to respond to an at least one transmission initiated by an at least one monitoring device requesting that said location data be sent to the monitoring device in response to programming instructions received in an incoming wireless packet switched data message.

20. (Original) A programmable communicator device according to claim 19 wherein the location processing module comprises a Global Positioning System (GPS) module.

21. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a sensor device.

22. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a health monitoring system.

23. (Original) A programmable communicator device according to claim 22 wherein the programmable communicator device is configured to receive data from the health monitoring system through the programmable interface representing at least one of body temperature, blood pressure, periodic or continuous electrocardiogram heart rhythm, blood glucose concentration, blood electrolyte concentration, kidney function, liver function, and labor contractions in response to programming instructions received in an incoming wireless packet switched data message.

24. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a vending machine.

25. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is a home or domestic appliance.

26. (Original) A programmable communicator device according to claim 1 wherein the monitored technical device is at least one of a door status monitoring device, a window status monitoring device, a proximity detector device, and a fire alarm device.

REMARKS

Applicants have cancelled claims 16 and 18, which were duplicates of claims 15 and 19. Accordingly, claims 1-15, 17, and 19-26 are currently under consideration in this application. No new matter has been added. Please consider the patentability of the claims in this amendment in accordance with the requested prioritized handling.

Terminal Disclaimers

To expedite the prosecution of this application, Applicants concurrently submit terminal disclaimers with respect to several related applications and issued patents. In particular, Applicants submit terminal disclaimers with respect to U.S. Patent No. 7,583,197, U.S. Patent No. 8,094,010, co-pending U.S. Application no. 13/328,095, and co-pending U.S. Application No. 13/801,773.

It is believed that the application is in condition for allowance and Applicant respectfully requests that a notice of allowance be issued. Applicant does not believe any extension of time is required. However, if an extension of time is required, please charge the associated fee and any additional fees required by this paper or credit any overpayment to deposit account number 19-4972. Applicant also requests that the examiner contact applicant's attorney, Jonathan Lovely, if it will assist in processing this application through issuance.

DATE: July 12, 2013

Respectfully submitted,

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
Attorney for Applicant
Sunstein Kann Murphy & Timbers LLP
125 Summer Street

Boston, MA 02110-1618
(617) 443-9292
03781/01014 1919808.1

Electronic Patent Application Fee Transmittal

Application Number:	13934763
Filing Date:	
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Filer:	Jonathan Lovely
Attorney Docket Number:	3781/1014

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	4	160	640
Total in USD (\$)				640

Electronic Acknowledgement Receipt

EFS ID:	16301728
Application Number:	13934763
International Application Number:	
Confirmation Number:	3746
Title of Invention:	Programmable Communicator
First Named Inventor/Applicant Name:	Eveline Wesby-van Swaay
Customer Number:	2101
Filer:	Jonathan Lovely
Filer Authorized By:	
Attorney Docket Number:	3781/1014
Receipt Date:	12-JUL-2013
Filing Date:	
Time Stamp:	15:36:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$640
RAM confirmation Number	2277
Deposit Account	194972
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)
 Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)
 Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Statutory disclaimers per MPEP 1490.	klw3781_1014_TermDisclaimer1.pdf	465129 e279078f108cb7351eb8bb023bd154c4ed36794a	no	1

Warnings:

Information:

2	Statutory disclaimers per MPEP 1490.	klw3781_1014_TermDisclaimer2.pdf	464813 2175febb9eec95276a117a41d7e868ea4a209e1a	no	1
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Warnings:

Information:

3	Statutory disclaimers per MPEP 1490.	klw3781_1014_TermDisclaimer3.pdf	63447 d2399865cc822832daf5ed207938cd7b82ca2262	no	1
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Warnings:

Information:

4	Statutory disclaimers per MPEP 1490.	klw3781_1014_TermDisclaimer4.pdf	67225 d4f5f4e58aad6fe77d255146b6ed9f4c66f4eea1	no	1
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Warnings:

Information:

5	Other Reference-Patent/App/Search documents	Ref_HN.pdf	584757 25c6c89cda7f7b087ca7b2fb0c96f50aacb09b78	no	39
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Warnings:

Information:

6		Information_Disclosure_Statement.pdf	266710 cfd334ce267719ec4f0092a4cae2a27e14756d19	yes	22
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Multipart Description/PDF files in .zip description

Document Description	Start	End
Transmittal Letter	1	1
Information Disclosure Statement (IDS) Form (SB08)	2	22

Warnings:

Information:

7	Preliminary Amendment	klw3781_1014_PrelimAmdt.pdf	166940 e83a2f6e99e6b418df1f54cfe570c0b94cc89a1	no	9
Warnings:					
Information:					
8	Fee Worksheet (SB06)	fee-info.pdf	29591 740de3d12d05b927a1f36602a91277236eb1733c	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2108612		

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

3781/1014

In re Application of: Eveline Wesby-van Swaay

Application No.: 13/934,763

Filed: July 3, 2013

For: Programmable Communicator

The owner*, M2M Solutions LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,583,197 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 60,821

/Jonathan C. Lovely, #60,821/

Signature

July 12, 2013

Date

Jonathan C. Lovely

Typed or printed name

(617) 443-9292

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

3781/1014

In re Application of: Eveline Wesby-van Swaay

Application No.: 13/934,763

Filed: July 3, 2013

For: Programmable Communicator

The owner*, M2M Solutions LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 8,094,010 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 60,821

/Jonathan C. Lovely, #60,821/

Signature

July 12, 2013

Date

Jonathan C. Lovely

Typed or printed name

(617) 443-9292

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)
3781/1014

In re Application of: Eveline Wesby-van Swaay

Application No.: 13/934,763

Filed: July 3, 2013

For: Programmable Communicator

The owner*, M2M Solutions LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 13/328,095, filed on 12/16/11, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 60,821

/Jonathan C. Lovely, #60,821/ July 12, 2013
Signature Date
Jonathan C. Lovely
Typed or printed name
(617) 443-9292
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)
3781/1014

In re Application of: Eveline Wesby-van Swaay

Application No.: 13/934,763

Filed: July 3, 2013

For: Programmable Communicator

The owner*, M2M Solutions LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 13/801,773, filed on 03/13/13, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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/Jonathan C. Lovely, #60,821/

Signature

July 12, 2013

Date

Jonathan C. Lovely

Typed or printed name

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.: 13/934,763
Filing Date: July 3, 2013

Art Unit/Group No.: 2642
Examiner: Not Yet Assigned
Conf. No.: 3746

For: PROGRAMMABLE COMMUNICATOR

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

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

DATE: July 12, 2013

/Jonathan C. Lovely, #60,821/

Jonathan C. Lovely
Registration No. 60,821
SUNSTEIN KANN MURPHY & TIMBERS LLP
Customer Number 02101
125 Summer Street
Boston, MA 02110-1618
UNITED STATES

03781/01014 1922480.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eveline Wesby-van Swaay

Application No.:	13/934,763	Art Unit/Group No.:	2642
Filing Date:	July 3, 2013	Examiner:	Not Yet Assigned
		Conf. No.:	3746

For: PROGRAMMABLE COMMUNICATOR

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

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. *Notice of January 9, 1992, 1135 O.G. 13-25, at 25.*

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	AA	US 4,465,904	Aug. 14, 1984	Gottsegen et al.	179/5 R
	AB	US 4,658,096	Apr.14, 1987	West, Jr. et al.	379/59
	AC	US 4,855,713	Aug. 8, 1989	Brunius	340/506
	AD	US 4,908,853	Mar. 13, 1990	Matsumoto	379/355
	AE	US 4,951,029	Aug. 21, 1990	Severson	340/506
	AF	US 5,012,234	Apr. 30, 1991	Dulaney et al.	340/825.44
	AG	US 5,276,729 A	Jan. 4, 1994	Higuchi et al.	379/58
	AH	US 5,293,418 A	Mar. 8, 1994	Fukawa	379/58
	AI	US 5,348,008 A	Sep. 20, 1994	Bornn et al.	128/642
	AJ	US 5,381,138 A	Jan. 10, 1995	Stair et al.	340/825.44
	AK	US 5,396,264 A	Mar. 7, 1995	Falcone et al.	345/146
	AL	US 5,544,661 A	Aug. 13, 1996	Davis et al.	128/700
	AM	US 5,548,271 A	Aug. 20, 1996	Tsuchiyama et al.	340/311.1
	AN	US 5,581,599 A	Dec. 3, 1996	Tsuji et al.	379/63
	AO	US 5,581,803 A	Dec. 3, 1996	Grube et al.	455/54.1
	AP	US 5,623,533 A	Apr. 22, 1997	Kikuchi et al.	379/58
	AQ	US 5,689,442 A	Nov. 18, 1997	Swanson et al.	364/550
	AR	US 5,689,563 A	Nov. 18, 1997	Brown et al.	380/23
	AS	US 5,742,233 A	Apr. 21, 1998	Hoffman et al.	340/573
	AT	US 5,742,666 A	Apr. 21, 1998	Alpert	379/58
	AU	US 5,745,049 A	Apr. 28, 1998	Akiyama et al.	340/870.17
	AV	US 5,752,976 A	May 19, 1998	Duffin et al.	607/32
	AW	US 5,771,455 A	Jun. 23, 1998	Kennedy, III et al.	455/456
	AX	US 5,774,804 A	Jun. 30, 1998	Williams	455/419
	AY	US 5,802,460 A	Sep. 1, 1998	Parvulescu et al.	455/92
	AZ	US 5,831,545 A	Nov. 3, 1998	Murray et al.	340/825.49
	BA	US 5,878,339 A	Mar. 2, 1999	Zicker et al.	455/419
	BB	US 5,884,161 A	Mar. 16, 1999	Hegeman	455/414
	BC	US 5,903,634 A	May 11, 1999	Wakabayashi et al.	379/127
	BD	US 5,940,752 A	Aug. 17, 1999	Henrick	455/419
	BE	US 5,946,636 A	Aug. 31, 1999	Uyeno et al.	455/566

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
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U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	BF	US 5,948,064 A	Sep. 7, 1999	Bertram et al.	709/225
	BG	US 5,960,366 A	Sep. 28, 1999	Duwaer	455/556
	BH	US 5,974,312 A	Oct. 26, 1999	Hayes, Jr. et al.	455/419
	BI	US 5,995,603 A	Nov. 30, 1999	Anderson	379/142
	BJ	US 5,997,476 A	Dec. 7, 1999	Brown	600/300
	BK	US 5,999,990 A	Dec. 7, 1999	Sharrit et al.	710/8
	BL	US 6,026,293 A	Feb. 15, 2000	Osborn	455/411
	BM	US 6,031,828 A	Feb. 29, 2000	Koro et al.	370/336
	BN	US 6,038,491 A	Mar. 14, 2000	McGarry et al.	700/231
	BO	US 6,041,229 A	Mar. 21, 2000	Turner	455/420
	BP	US 6,072,396 A	Jun. 6, 2000	Gaukel	340/573.4
	BQ	US 6,075,451 A	Jun. 13, 2000	Lebowitz et al.	340/825.06
	BR	US 6,078,948 A	Jun. 20, 2000	Podgorny et al.	709/204
	BS	US 6,108,521 A	Aug. 22, 2000	Foladore et al.	455/31.3
	BT	US 6,125,273 A	Sep. 26, 2000	Yamagishi	455/411
	BU	US 6,144,859 A	Nov. 7, 2000	LaDue	455/511
	BV	US 6,148,197 A	Nov. 14, 2000	Bridges et al.	455/432
	BW	US 6,157,318 A	Dec. 5, 2000	Minata	340/825.44
	BX	US 6,172,616 B1	Jan. 9, 2001	Johnson et al.	340/870.12
	BY	US 6,198,390 B1	Mar. 6, 2001	Schlager et al.	340/540
	BZ	US 6,208,039 B1	Mar. 27, 2001	Mendelsohn et al.	307/52
	CA	US 6,208,839 B1	Mar. 27, 2001	Davani	455/31.3
	CB	US 6,208,854 B1	Mar. 27, 2001	Roberts et al.	455/417
	CC	US 6,215,994 B1	Apr. 10, 2001	Schmidt et al.	455/419
	CD	US 6,230,002 B1	May 8, 2001	Flodén et al.	455/411
	CE	US 6,275,143 B1	Aug. 14, 2001	Stobbe	340/10.34
	CF	US 6,288,641 B1	Sep. 11, 2001	Casais	340/539
	CG	US 6,289,084 B1	Sep. 11, 2001	Bushnell	379/67.1
	CH	US 6,295,449 B1	Sep. 25, 2001	Westerlage et al.	455/422
	CI	US 6,308,083 B2	Oct. 23, 2001	King	455/556
	CJ	US 6,314,270 B1	Nov. 6, 2001	Uchida	455/67.1

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	CK	US 6,377,161 B1	Apr. 23, 2002	Gromelski et al.	340/7.45
	CL	US 6,411,198 B1	Jun. 25, 2002	Hirai et al.	340/7.6
	CM	US 6,424,623 B1	Jul. 23, 2002	Borgstahl et al.	370/230
	CN	US 6,442,432 B2	Aug. 27, 2002	Lee	607/59
	CO	US 6,487,478 B1	Nov. 26, 2002	Azzaro et al.	701/24
	CP	US 6,496,777 B2	Dec. 17, 2002	Tennison et al.	701/213
	CQ	US 6,519,242 B1	Feb. 11, 2003	Emery et al.	370/338
	CR	US 6,553,418 B1	Apr. 22, 2003	Collins et al.	709/224
	CS	US 6,567,671 B2	May 20, 2003	Amin	455/550
	CT	US 6,573,825 B1	Jun. 3, 2003	Okano	340/7.51
	CU	US 6,577,881 B1	Jun. 10, 2003	Ehara	455/563
	CV	US 6,606,508 B2	Aug. 12, 2003	Becker et al.	455/567
	CW	US 6,611,755 B1	Aug. 26, 2003	Coffee et al.	701/213
	CX	US 6,633,784 B1	Oct. 14, 2003	Lovelace, II et al.	700/65
	CY	US 6,658,586 B1	Dec. 2, 2003	Levi	714/4
	CZ	US 6,759,956 B2	Jul. 6, 2004	Menard et al.	340/539.19
	DA	US 6,832,102 B2	Dec. 14, 2004	I'Anson	455/556.1
	DB	US 6,833,787 B1	Dec. 21, 2004	Levi	340/539.13
	DC	US 6,873,842 B2	Mar. 29, 2005	Elayda et al.	455/418
	DD	US 6,900,737 B1	May 31, 2005	Ardalan et al	340/870.02
	DE	US 6,922,547 B2	Jul. 26, 2005	O'Neill et al.	455/17
	DF	US 6,970,917 B1	Nov. 29, 2005	Kushwaha et al.	709/217
	DG	US 6,985,742 B1	Jan. 10, 2006	Giniger et al.	455/456.1
	DH	US 6,988,989 B2	Jan. 24, 2006	Weiner et al.	600/300
	DI	US 7,027,808 B2	Apr. 11, 2006	Wesby	455/419
	DJ	US 7,084,771 B2	Aug. 1 2006	Gonzalez	340/573.1
	DK	US 7,254,601 B2	Aug. 7, 2007	Baller et al.	709/200
	DL	US 7,558,564 B2	Jul. 7, 2009	Wesby	455/419
	DM	US 7,583,197 B2	Sep. 1, 2009	Wesby Van Swaay	340/573.4
	DN	US 7,599,681 B2	Oct. 6, 2009	Link, II et al.	455/411
	DO	US 8,094,010 B2	Jan. 10, 2012	Wesby-van Swaay	340/539.12

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

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 Serial No: 13/934,763 Art Unit/Group No.: 2642
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	DP	US 2001/0001234 A1	May 17, 2001	Addy et al.	340/531
	DQ	US 2002/0046353 A1	Apr. 18, 2002	Kishimoto	713/202
	DR	US 2002/0080938 A1	Jun. 27, 2002	Alexander, III et al.	379/106.01
	DS	US 2002/0198997 A1	Dec. 26, 2002	Linthicum et al.	709/227
	DT	US 2003/0176952 A1	Sep. 18, 2003	Collins et al.	700/286
	DU	US 2010/0035580 A1	Feb. 11, 2010	Wesby - Van Swaay	455/411
	DV	US 2012/0088474 A1	Apr. 12, 2012	Wesby-van Swaay	455/411

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/ Subclass
	DW	EP	0 432 746 A2	Jun. 19, 1991	Siemens Nixdorf Inf. Syst.	H04M 1/57
	DX	EP	0 432 746 A2 [English Abstract]	Jun. 19, 1991	Siemens Nixdorf Inf. Syst.	H04M 1/57
	DY	EP	0 524 652 A2	Jan. 27, 1993	Ransome Industries Ltd.	H04M 1/274
	DZ	WO	95/05609 A2	Feb. 23, 1995	Real Time Data	G01R 27/14
	EA	JP	07-087211 A	Mar. 31, 1995	Fuji Facom Corp.	H04M 11/00
	EB	JP	07-087211 A [English Abstract]	Mar. 31, 1995	Fuji Facom Corp.	H04M 11/00
	EC	JP	09-64950 A	Mar. 7, 1997	Hitachi Ltd.	H04M 1/02
	ED	JP	09-64950 A [English Abstract]	Mar. 7, 1997	Hitachi Ltd.	H04M 1/02

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

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	EE	EP	0 772 336 A2	May 7, 1997	Straculi et al.	H04M 9/00
	EF	EP	0 772 336 A2 [English Abstract]	May 7, 1997	Straculi et al.	H04M 9/00
	EG	WO	97/23104 A1	Jun. 26, 1997	Ericsson Inc	H04Q 7/22
	EH	DE	196 25 581 A1	Dec. 18, 1997	Plaas-Link	G08B 25/10
	EI	DE	196 25 581 A1 [English Abstract]	Dec. 18, 1997	Plaas-Link	G08B 25/10
	EJ	DE	197 07 681 C1	May 7, 1998	Erbel et al.	H04M 1/00
	EK	DE	197 07 681 C1 [English Abstract]	May 7, 1998	Erbel et al.	H04M 1/00
	EL	WO	98/51059 A2	Nov. 12, 1998	Easy-Phone GmbH	H04M 1/72
	EM	WO	98/56197 A1	Dec. 10, 1998	Telia AB	H04Q 7/22
	EN	CA	2 293 393 A1 (with English Abstract)	Dec. 23, 1998	Swisscom AG	H04Q 007/32
	EO	WO	99/13629 A1	Mar. 18, 1999	Wesby et al.	H04M 1/72
	EP	WO	99/34339 A2	Jul. 8, 1999	Ameritech Corp.	G08B
	EQ	WO	99/49680 A1	Sep. 30, 1999	Bellsouth Intellectual Property Corp.	H04Q 7/22
	ER	WO	99/56262 A1	Nov. 4, 1999	1 st International Security Technology OY	G08B 21/100

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

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	ES	WO	00/18175 A2	Mar. 30, 2000	Urbanija et al.	H04Q 9/00
	ET	JP	2000-115859 A	Apr. 21, 2000	Ericsson Inc.	H04Q 7/38
	EU	JP	2000-115859 A [English Abstract]	Apr. 21, 2000	Ericsson Inc.	H04Q 7/38
	EV	EP	0 996 302 A1	Apr. 26, 2000	CIT Alcatel	H04Q 7/32
	EW	EP	0 996 302 A1 [English Abstract]	Apr. 26, 2000	CIT Alcatel	H04Q 7/32
	EX	JP	2000-135384 A	May 16, 2000	Fujitsu Ltd.	A63H 3/33
	EY	JP	2000-135384 A [English Abstract]	May 16, 2000	Fujitsu Ltd.	A63H 3/33
	EZ	WO	00/56016 A1	Sep. 21, 2000	Siemens AG Österreich	H04L 12/28
	FA	WO	00/70889 A1	Nov. 23, 2000	Medtronic Physio-Control Manufacturing Corp.	H04Q 7/08
	FB	WO	01/03414 A1	Jan. 11, 2001	Musco Corp.	H04M 11/00
	FC	JP	2001-177668 A	Jun. 29, 2001	Toshiba Corp.	H04M 11/00
	FD	JP	2001-177668 A [English Abstract]	Jun. 29, 2001	Toshiba Corp.	H04M 11/00
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Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eveline Wesby-van Swaay Attorney Docket: 3781/1014
 Serial No: 13/934,763 Art Unit/Group No.: 2642
 Filing Date: July 3, 2013 Examiner Name: Not Yet Assigned
 Conf. No.: 3746
 Invention: PROGRAMMABLE COMMUNICATOR

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/ Subclass
	FF	JP	2001-249860 A [English Abstract]	Sep. 14, 2001	Kenwood Corp.	G06F 13/00
	FG	JP	2002-077438 A	Mar. 15, 2002	Sony Corp.	H04M 11/00
	FH	JP	2002-077438 A [English Abstract]	Mar. 15, 2002	Sony Corp.	H04M 11/00
	FI	EP	1 013 055 B1	Apr. 27, 2005	Wesby et al.	H04M 1/72

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	FJ	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Network architecture (GSM 03.02, version 5.0.0), TS/SMG-030302Q, 20 pages (March, 1996)</i>
	FK	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface (GSM 11.11, version 5.3.0), TS/SMG-091111QR1, 113 pages (July, 1996)</i>

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Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	FL	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the SIM Application Toolkit for the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface (GSM 11.14, version 5.1.0), TS/SMG-091114Q, 54 pages (August, 1996)</i>
	FM	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Specification of the SIM Application Toolkit for the Subscriber Identity Module - Mobile Equipment (SIM - ME) interface., GSM 11.14, version 5.4.0), TS/SMG-091114Q, 56 pages (July, 1997)</i>
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	FP	European Telecommunications Standards Institute (ETSI)	<i>Digital cellular telecommunications system (Phase 2+); Use of Data Terminal Equipment - Data Circuit terminating; Equipment (DTE - DCE) interface for Short Message Service (SMS) and Cell Broadcast Service (CBS) (GSM 07.05, version 7.0.0, Release 1998), Available SMG only, 66 pages (March, 1999)</i>