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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 Sunstein Kann Murphy & Timbers LLP 125 SUMMER STREET POSTONI MA 02110, 1618			EXAMINER	
			NGUYEN, NAM V	
BOSTON, MA 02110-1618			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.

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	Application No. 13/934,763		Applicant(s) WESBY-VAN SWAAY, EVELINE	
Office Action Summary	Examiner NAM V. NGUYEN	Art Unit 2682	AIA (First Inventor to File) Status No	
The MAILING DATE of this communication app Period for Reply				
 A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING D/ Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period v Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). 	ATE OF THIS COMMUNI 36(a). In no event, however, may a vill apply and will expire SIX (6) MOI , cause the application to become Al	CATION. reply be timely filed NTHS from the mailing date of BANDONED (35 U.S.C. § 13	f this communication.	
Status 1) Responsive to communication(s) filed on 7/12/				
A declaration(s)/affidavit(s) under 37 CFR 1.1		<u> </u>		
	action is non-final.			
3) An election was made by the applicant in resp	•		ng the interview on	
; the restriction requirement and election	•			
4) Since this application is in condition for allowal closed in accordance with the practice under <i>E</i>	•	•	to the merits is	
Disposition of Claims				
5) Claim(s) <u>1-15,17 and 19-26</u> is/are pending in the second seco	he application.			
5a) Of the above claim(s) is/are withdraw	wn from consideration.			
6) Claim(s) is/are allowed.				
7) Claim(s) $1-15,17$ and 19-26 is/are rejected.				
8) Claim(s) is/are objected to.				
9) Claim(s) are subject to restriction and/o	r election requirement.			
* If any claims have been determined allowable, you may be el		tent Prosecution High	way program at a	
participating intellectual property office for the corresponding a	-	-		
http://www.uspto.gov/patents/init_events/pph/index.jsp or send	an inquiry to PPHfeedback	<u>@uspto.gov</u> .		
Application Papers				
10) The specification is objected to by the Examine	r			
		by the Exeminer		
11) The drawing(s) filed on $7/3/13$ is/are: a) acc			(-)	
Applicant may not request that any objection to the				
Replacement drawing sheet(s) including the correct	ion is required if the drawing	I(s) is objected to. See	37 CFR 1.121(d).	
Priority under 35 U.S.C. § 119				
12) 🛛 Acknowledgment is made of a claim for foreign	priority under 35 U.S.C.	§ 119(a)-(d) or (f).		
Certified copies:				
a)🖾 All b) 🗌 Some * c) 🗌 None of the:				
1. 🛛 Certified copies of the priority documen	ts have been received.			
2. Certified copies of the priority documen	ts have been received in a	Application No	<u>_</u> .	
3. Copies of the certified copies of the pric	ority documents have bee	n received in this Na	tional Stage	
application from the International Bureau	u (PCT Rule 17.2(a)).			
* See the attached detailed Office action for a list of	the certified copies not rece	ived.		
Attachment(s)				
1) Notice of References Cited (PTO-892)		Summary (PTO-413)		
P) X Information Disclosure Statement(s) (PTO/SB/08)	Paper No((s)/Mail Date		
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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.

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

Specification

Application/Control Number: 13/934,763 Art Unit: 2682

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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.

 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? Application/Control Number: 13/934,763 Art Unit: 2682

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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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