

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Ex Parte Reexamination of U.S. Patent No. : Confirmation No.: 9521  
7,647,633 to Edery, et al. :  
Control Number: 90/013,016 :  
: Group Art Unit: 3992  
Patent No.: 7,647,633 :  
Inventors: Edery et al. : Examiner: Adam L. Basehoar  
Issued: January 12, 2010 :  
Title: MALICIOUS MOBILE : Attorney Docket No.: FINREXM0005  
CODE RUNTIME  
MONITORING SYSTEM  
AND METHODS

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

**RENEWED PETITION TO ACCEPT UNINTENTIONALLY DELAYED PRIORITY  
CLAIM UNDER 37 C.F.R. § 1.78**

Dear Sir:

Patent Owner hereby submits this renewed petition under 37 C.F.R. § 1.78(e) to request acceptance of an unintentionally delayed corrected benefit claim under 35 U.S.C. § 120 for the benefit of prior-filed nonprovisional applications, for a utility patent application filed after November 29, 2000. U.S. Patent No. 7,647,633 (“the ‘633 patent”) is presently the subject of *Ex Parte* Reexamination, Ser. No. 90/013,016, filed October 7, 2013.

This petition is responsive to the Petitions Branch’s dismissal mailed on July 25<sup>th</sup>, 2014 of the Patent Owners’s original petition filed February 19, 2014. In the original petition, there was a typographical error in the listing of priority applications; specifically, the amendment to the Specification listed Application No. 09/551,302 as **90/551,302**. The correction has been

made herein and in a supplemental amendment filed herewith. The other required sections of a complete petition are addressed herein.

### **I. Authority**

37 C.F.R. § 1.78(e) (previously 37 CFR § 1.78(a)(3)) allow for the filing of a petition to correct a failure to adequately claim the benefit under 35 U.S.C. § 120. A petition to accept the priority claim and reference required under 35 U.S.C. § 120 and 37 C.F.R. §§ 1.78(d) and (e) (previously 37 C.F.R. § 1.78(a)(2) and (a)(3)) made after four months from the filing date or sixteen months from the filing date of the priority application may be accepted if the reference was unintentionally delayed. Furthermore, a petition to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of a prior filed application must be accompanied by:

- (1) the reference required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(d)(2) (previously 37 C.F.R. § 1.78(a)(2));
- (2) a surcharge payment as set forth in 37 C.F.R. § 117(t); and
- (3) a statement that the entire delay between the date the reference was due under 37 C.F.R. § 1.78(d)(3) (previously 37 C.F.R. § 1.78(a)(2)(ii)) and the date the claim was filed was unintentional.

### **II. Reference**

The present petition is accompanied by a Supplemental Amendment to correct the language of the benefit claim recited in the first paragraph of the specification. For the Petitions Office's convenience the amendment is reproduced below:

This application is a continuation of and incorporates by reference patent application Ser. No. 09/861,229, filed May 17, 2001 now U.S. Pat. No. 7,058,822, which claims benefit of reference to provisional application Ser. No. 60/205,591 entitled "Computer Network Malicious Code Runtime Monitoring," filed on May 17, 2000 by inventors Nimrod Itzhak Vered, et al. This application also incorporates by reference the provisional application Ser. No. 60/205,591. This application is also a Continuation-In-Part of and

hereby incorporates by reference patent application Ser. No. 09/539,667, now U.S. Pat. No. 6,804,780, entitled "System and Method for Protecting a Computer and Network from Hostile Downloadables" filed on Mar. 30, 2000 by inventor Shlomo Touboul, which is a continuation of U.S. patent application Ser. No. 08/964,388, now U.S. Patent No. 6,092,194, entitled "System and Method for Protecting a Computer and a Network from Hostile Downloadables" filed on November 6, 1997 by inventor Shlomo Touboul. This application is also a Continuation-In-Part of and hereby incorporates by reference patent application Ser. No. 09/551,302 now U.S. Pat. No. 6,480,962, entitled "System and Method for Protecting a Client During Runtime From Hostile Downloadables", filed on Apr. 18, 2000 by inventor Shlomo Touboul, which is a continuation of U.S. application Ser. No. 08/790,097, now U.S. Patent No. 6,167,520 entitled "System and Method For Protecting a Client From Hostile Downloadables", filed January 29, 1997 by inventor Shlomo Touboul.

### III. Surcharge

The original petition was accompanied by authorization to charge the requisite fee under 37 C.F.R. § 1.17(t). No additional fees are believe to be due, but authorization is hereby given to charge deposit account number 50-6099.

### IV. Unintentional Delay

The entire delay between the date the claim was due under 37 C.F.R. § 1.78(d)(3) (previously 37 C.F.R. § 1.78(a)(2)(ii)) and the date this claim was first filed was unintentional.

Dated: August 25, 2014

Respectfully submitted,

/Dawn-Marie Bey – 44,442/  
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Registration No.: 44,442

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SYSTEM AND METHODS

TC/Art Unit : 3992  
Examiner: : Adam L. Basehoar  
Attorney Dckt No. : FINREXM0005

Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT TO CORRECT PRIORITY PARAGRAPH AS  
REQUIRED BY 37 CFR §§ 1.78**

Sir:

Included with the response to non-final Office Action filed February 19, 2014, was an amendment to the priority paragraph in the Specification in accordance with the requirement under 37 CFR § 1.78(e)(1) (previously 37 CFR § 1.78(a)(3)). A petition to accept unintentionally delayed priority claim was filed on that same date, February 19, 2014, requiring the amendment. On July 25, 2014, the petitions branch dismissed the petition "...for the sole reason that [the amendment to the specification] contains a typographical error. The amendment lists Application No. **90**/551,302, rather than Application No. **09**/551,302." (emphasis in original). Accordingly, the undersigned hereby submits a correct amendment to the Specification beginning on Page 2.

## AMENDMENT TO THE SPECIFICATION

Kindly replace the first paragraph of the specification on page 2 with the following:

This application is a continuation of and incorporates by reference patent application Ser. No. 09/861,229, filed May 17, 2001 now U.S. Pat. No. 7,058,822, which claims benefit of reference to provisional application Ser. No. 60/205,591 entitled "Computer Network Malicious Code Runtime Monitoring," filed on May 17, 2000 by inventors Nimrod Itzhak Vered, et al. This application also incorporates by reference the provisional application Ser. No. 60/205,591. This application is also a Continuation-In-Part of and hereby incorporates by reference patent application Ser. No. 09/539,667, now U.S. Pat. No. 6,804,780, entitled "System and Method for Protecting a Computer and Network from Hostile Downloadables" filed on Mar. 30, 2000 by inventor Shlomo Touboul, which is a continuation of U.S. patent application Ser. No. 08/964,388, now U.S. Patent No. 6,092,194, entitled "System and Method for Protecting a Computer and a Network from Hostile Downloadables" filed on November 6, 1997 by inventor Shlomo Touboul. This application is also a Continuation-In-Part of and hereby incorporates by reference patent application Ser. No. 09/551,302 now U.S. Pat. No. 6,480,962, entitled "System and Method for Protecting a Client During Runtime From Hostile Downloadables", filed on Apr. 18, 2000 by inventor Shlomo Touboul, which is a continuation of U.S. application Ser. No. 08/790,097, now U.S. Patent No. 6,167,520 entitled "System and Method For Protecting a Client From Hostile Downloadables", filed January 29, 1997 by inventor Shlomo Touboul.

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