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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
	7590 09/25/201 Murphy & Timbers LL	EXAMINER		
125 SUMMER	STREET		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		
Office Action Summary	,		WESBY-VAN SWAAY, EVELINE	
Onice Action Summary	Examiner NAM V. NGUYEN	Art Unit 2682	AIA (First Inventor to File) Status No	
The MAILING DATE of this communication Period for Reply	appears on the cover sheet w	ith the corresponder	nce address	
A SHORTENED STATUTORY PERIOD FOR RE WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication - If NO period for reply is specified above, the maximum statutory pe - Failure to reply within the set or extended period for reply will, by st Any reply received by the Office later than three months after the meanned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNION R 1.136(a). In no event, however, may a rown in the community of the	CATION. reply be timely filed ITHS from the mailing date of BANDONED (35 U.S.C. § 1	of this communication.	
Status				
1) Responsive to communication(s) filed on <u>7</u> A declaration(s)/affidavit(s) under 37 CFR				
	This action is non-final.	.		
3) An election was made by the applicant in re		ement set forth duri	ing the interview on	
; the restriction requirement and election solution for all closed in accordance with the practice und	ction have been incorporated in wance except for formal matter	into this action. ers, prosecution as	to the merits is	
Disposition of Claims				
5) Claim(s) 1-15,17 and 19-26 is/are pending 5a) Of the above claim(s) is/are with 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 are subject to restriction are subjected to allowable, you may be participating intellectual property office for the corresponding intellectual property of the corresponding intellectual property office for the corresponding intellectual property office for the corr	drawn from consideration. nd/or election requirement. ne eligible to benefit from the Pating application. For more informat	ion, please see	hway program at a	
10) ☐ The specification is objected to by the Exan	niner.			
11)⊠ The drawing(s) filed on <u>7/3/13</u> is/are: a)⊠	accepted or b) ☐ objected to	by the Examiner.		
Applicant may not request that any objection to	= : :			
Replacement drawing sheet(s) including the co	rrection is required if the drawing	(s) is objected to. See	e 37 CFR 1.121(d).	
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for fore Certified copies: a) All b) Some * c) None of the: 1. Certified copies of the priority documed company company company copies of the priority documed copies of the certified copies of the application from the International But * See the attached detailed Office action for a line.	nents have been received. nents have been received in A priority documents have beer reau (PCT Rule 17.2(a)).	Application No n received in this Na		
Attachment(s) One of References Cited (PTO-892) One of References Cited (PTO-892)	• —	Summary (PTO-413) s)/Mail Date		



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has been examined.

DETAILED ACTION

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

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The application of Van Swaay for a "programmable communicator" filed July 12, 2013

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.

This application claims foreign priority based on the application 20001239 filed May 23,

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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