



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 6 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY,DOCKET,NO, TOT CLAIMS, IND CLAIMS. Row 1: 61/015,159, 12/19/2007, 210, 080449P1

23696
QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

CONFIRMATION NO. 4802
UPDATED FILING RECEIPT



Date Mailed: 10/21/2008

Receipt is acknowledged of this provisional patent application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. 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

Applicant(s)

Masato Kitazoe, Tokyo, JAPAN;
Amaud Meylan, San Diego, CA;

Power of Attorney: The patent practitioners associated with Customer Number 23696

If Required, Foreign Filing License Granted: 02/05/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 61/015,159

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

Title

METHODS AND APPARATUSES FOR TRANSFER OF FIRST SCHEDULED TRANSMISSION USING CONTROL CHANNEL

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 (1-866-999-4158).

## **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).



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Paper No.

QUALCOMM INCORPORATED  
5775 MOREHOUSE DR.  
SAN DIEGO CA 92121

**COPY MAILED**

**OCT 01 2008**

**OFFICE OF PETITIONS**

In re Application of :  
Kitazoe et al. : DECISION ON  
Application No. 61/015,159 : PETITION  
Filed: December 19, 2007 :  
Attorney Docket No. 080449P1 :

This is in response to the "RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A PROVISIONAL APPLICATION" filed February 29, 2008, requesting that the above-identified provisional application be accorded a filing date of December 19, 2007, with Figure(s) 3 and 4 considered part of the original application disclosure.

Application papers in the above-identified provisional application were deposited on December 19, 2007. However, on February 8, 2008, the Office sent a NOTICE OF OMITTED ITEMS IN A PROVISIONAL APPLICATION, notifying applicants that the application papers had been accorded a filing date; however, Figures 3 and 4 described in the specification appeared to have been omitted from the application.

Petitioners timely responded with the instant petition (and petition fee). Petitioners contend that the provisional application does not omit any figures, and in fact, as filed, contains Figures 3 and 4 in Appendix A, which is part of the application.

A reveal of the application as filed reveals that it included Appendix A, and that Appendix A, included Figures 3 and 4. Thus, it is concluded that the drawings were present in the provisional application upon filing. However, this was separate from drawing figures 1 and 2 which were set forth appropriately on a drawing sheet, consistent with the brief description of the drawings. Whereas, figures 3 and 4 were intertwined in the text of the appendix thus, obscuring their identification as figures

3 and 4. The presence of figures 3 and 4 in the appendix led the Office to properly issue a Notice of Omitted Item(s). The figures did appear to be omitted.

Accordingly, the petition is **GRANTED**.

This petition was not necessitated by Office error but by the manner in which applicants presented figures 3 and 4 to the Office. Thus, the request to refund the fee is denied.

This provisional application is being forwarded to the Office of Patent Application Processing for:

- further processing with a filing date of December 19, 2007, using the application papers received in the Office and presently accorded that date; and
- correction of Office records, as appropriate, to indicate that figures 3 and 4 were present in the application on filing, albeit in the appendix.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3219.



Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.