

Filed: September 21, 1993

Examiner: T. Le

For: NATIONWIDE COMMUNICATION SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PROPOSED AMENDMENT UNDER 37 C.F.R. § 1.116

Pursuant to 37 C.F.R. § 1.116 and in response to the Office Action dated August 8, 1995, the period for response to which has been extended to January 11, 1995 (the Federal government being closed on January 8-10 due to inclement weather) by the concurrent filing of a two-month extension of time, applicants propose that this application be amended as follows:

IN THE CLAIMS:

Please cancel claim 2 without prejudice or disclaimer of the subject matter thereof and amend claims 1, 3, 6, and 9 as follows:

1. (Twice Amended) A mobile unit for transmitting and receiving radio frequency signals to and from a communications network comprising:

means for receiving a radio frequency message from the network;

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said [at least portions] portion of said message.

g. s. (Amended) The mobile unit of claim [2] 1, further comprising:

means for detecting errors in the received message [messages; and],

said display including means for highlighting [displaying] said errors when the message is displayed on said display.

Claim 3, line 1, replace "2" with --1--.

Claim 6, line 7, replace "the" (first occurrence) with --a--.

Claim 9, line 8, after "retransmit" insert --a portion of--;

and

line 13, after "retransmitting" insert --the portion of--.

REMARKS

Applicants appreciate the courtesies extended by the Examiner during a personal interview on December 20, 1995. During the interview, the Examiner and applicants' representative discussed proposals for overcoming the outstanding rejections. The discussion covered, among other things, the final rejection of claims 1-3, 5-6, and 8-9 under 35 U.S.C. § 103 as being unpatentable over Tsurumi (JAPAN 64-82715) in view of Spragins et

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Applicants submit that, upon entry of these amendments, the final rejections should be withdrawn and the pending claims allowed.

Independent claim 1, as proposed, defines a mobile unit comprising a unique combination of elements. According to proposed claim 1, the mobile unit includes a display for displaying a received message. Switch means allows a user to selectively request retransmission of a portion of the message from a communications network. Another means transmits, upon actuation of the switch means, a signal to the communications network requesting retransmission of the portion of the message. After viewing the received message displayed on the display, a user can elect whether to request a portion of the message to be retransmitted. For example, if a portion of the message contains an error, but is nonetheless understandable, the user may elect not to request retransmission of the portion containing the error (page 37 of the specification, lines 23-26). Alternatively, if the user is unable to understand the message, the user may elect to request retransmission of the portion containing the error. In this way, the mobile unit of claim 1 maximizes system efficiency in two ways. First, the mobile unit does not automatically request retransmission of a received message when it contains an error. Rather, the user must actuate the switch means to cause

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which a base station transmits messages to a pager according to the state of the pager's memory. When a user finishes reading a message stored in the pager, the pager transmits a process confirmation signal to the base station. In response, the base station transmits a new message to be stored in the pager. In this way, messages are transmitted as the user finishes reading them, thereby minimizing the pager's memory capacity.

Tsurumi does not disclose or suggest any structure for requesting retransmission of a received message, much less a portion of a message, as required by claim 1. Tsurumi also does not disclose any structure for allowing a user to selectively request retransmission, as required by claim 1. The Examiner appears to acknowledge the deficiencies of Tsurumi in the final Office Action (page 3, lines 2-5).

Spragins et al. does not overcome Tsurumi's deficiencies. Spragins et al. discloses a technique for requesting retransmission of a message frame. If a received message frame contains an error, a negative acknowledgment signal requesting retransmission is automatically transmitted, regardless of whether the user decides that retransmission is necessary. Thus, under this technique, there is no provision for allowing a user to

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withdrawn at least because of their dependence from claim 1.

In addition, proposed claim 3 contains an additional recitation not disclosed or suggested by the cited references. Specifically, claim 3, as proposed, recites that the display of the mobile unit of claim 1 includes means for highlighting errors in the received message when the message is displayed on the display. The cited references do not in any way disclose or suggest this recitation. Indeed, the cited references appear to teach away by disclosing automatically requesting retransmission of messages containing errors. Thus, upon entry of the proposed amendments, claim 3 should be allowed for this additional reason.

Claim 6 defines a communications network, including means for receiving radio frequency signals from the mobile unit. According to claim 6, the signals indicate that a user desires the network to retransmit a portion of the message to the mobile units. The network also includes means for retransmitting radio frequency signals containing the portion of the message the user desires retransmitted to the mobile unit.

The cited references do not disclose or suggest such a network. For example, the base station of Tsurumi receives an automatically transmitted confirmation signal indicating that a

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