

12-2-96
RE

Dennis W. CAMERON et al.)

Serial No.: 08/124,219)

Group Art Unit: 2611)

Filed: September 21, 1993)

Examiner: T. Le)

For: NATIONWIDE COMMUNICATION)
SYSTEM)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT

In response to the Office Action dated May 17, 1996, the response to which has been extended three months by the concurrent filing of a petition for extension of time, please amend this application as follows:

IN THE CLAIMS:

Please cancel claim 9 without prejudice or disclaimer of the subject matter thereof, and amend claims 1 and 6 and add new claims 10 and 11 as follows:

1. (Thrice 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;
 - a display for displaying said message;
 - a switch [means for] actuatable to specify a portion of the displayed message for

C/cont.

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C1
could.

communications network requesting retransmission of said specified portion of said message; and

means for receiving said specified portion retransmitted from the communications network and for displaying the received specified portion on the display.

Sub
D1

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

means for transmitting radio frequency signals containing a message to the mobile unit;

means for receiving, from the mobile unit, radio frequency signals [from the mobile unit indicating that a user desires the network to retransmit] representing a portion of the message that the user desires retransmission [to the mobile unit];

means for retransmitting radio frequency signals containing the portion of the message to the mobile unit.

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8.
A10

A method for receiving and transmitting messages at a mobile unit, comprising the steps of:

receiving at the mobile unit a radio frequency message;

displaying said message on the mobile unit;

C3
cont.

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79

retransmission of said indicated portion of said message;

receiving a retransmission of said indicated portion; and

displaying the received retransmission of said indicated portion on the mobile

unit.

9.

~~14~~. The method according to claim ~~10~~⁸, further comprising the step of:

detecting errors in the received message; and

wherein the step of displaying comprises the substep of:

highlighting said errors in the message on the mobile unit ~~AV~~

REMARKS

In the Office Action dated May 17, 1996, the Examiner rejected the pending claims over various cited references. In particular, the Examiner rejected claims 1, 5-6, and 8-9 under 35 U.S.C. § 103 as being unpatentable over Davis in view of Spragins et al.; rejected claim 3 under 35 U.S.C. § 103 as being unpatentable over Davis in view of Spragins et al. and Willard et al.; and rejected claims 4 and 7 under 35 U.S.C. § 103 as being unpatentable under 35 U.S.C. § 103 over Davis in view of Spragins et al. and Iwasaki.

Applicants have canceled claim 9, amended claims 1 and 6, and added new claims 10 and 11 to more appropriately define the invention. The outstanding rejections should be withdrawn, and the pending claims allowed over the cited

a switch actuatable to specify a portion of the displayed message for which a user desires retransmission from the communications network. By providing this switch, the mobile unit of claim 1. maximizes efficiency in two ways. First, the mobile unit does not automatically request retransmission of a received message simply because it contains an error. Rather, the switch must be actuated before any requests for retransmission will be transmitted. Second, retransmission can be requested of only a portion of a message, rather than the entire message.

None of the cited references contains any teachings corresponding to the mobile unit defined by claim 1. For example, no teaching can be found in any of the cited references of an element corresponding to the switch of claim 1. As previously discussed, Tsurumi, the main reference cited by the Examiner, discloses a paging system that allows users to indicate when they have finished reading messages stored in the pager. The pagers transmit process confirmation signals to a base station, which then transmits new messages to be stored in the pager. The purpose of this system is to minimize the pager's memory capacity by replacing read messages with new messages. No teaching can be found in Tsurumi, however, of a switch actuatable to specify a portion of the displayed message for which a user desires retransmission from the communications network.

Similarly, Spragins et al., Willard et al., and Iwasaki do not overcome this

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 selectively request retransmission of a portion of a received message, as provided by the mobile unit of claim 1.

Accordingly, none of the references discloses or suggests the mobile unit of claim 1. Therefore, claim 1, and its dependent claims (claims 3-5, 7, and 8), should be allowed over the cited references.

Claim 3 should be allowed for an additional reason. As previously discussed, this claim recites, among other things, 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 feature. Indeed, the Examiner appears to openly concede this deficiency. (See Office Action, para. 4, where the Examiner acknowledges that Davis, Spragins et al., and Willard et al. do not disclose means for highlighting errors.) Nevertheless, the Examiner insists upon finding this claim obvious without any support.

In doing so, the Examiner has engaged in a clear case of impermissible hindsight. The Examiner cannot find all the elements of claim 3 in any combination of

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