

agent identifier, the verification process based on correlating the stored broadcast agent jurisdiction authority and using this to verify and ensure that the broadcast target area within the broadcast message request is within the predefined and stored jurisdiction for the broadcast agent is now recited.

5.2 Claim 2 and new claim 23 recite that two or more broadcast message transmission systems is selected from a listed group of systems that also now includes (see claim 2 for ease of review), not only an internet service provider but an internet provider (See Para. 0115) including a website and in more detail a website content provider providing text, graphical data, image and mapping content service via a website (See Para. 0219 wherein it is disclosed “User receiving devices may include mobile or cellular phones, PDA's, PC's, etc. Receiving devices may provide a distinct alert ring-tone that continues until the message is acknowledged by a local user. Such features and functions are dependent on the features and functionality of the various receiving devices. *Some receiving devices may be configured to receive text messages, graphical data, images, and maps or may be capable of connecting to a designated website that provides additional information.*” Spec. Para. 0219 (emphasis added). While this disclosure addresses the receiving devices, as one of ordinary skill in the art will understand, in order for the user receiving devices to perform the capabilities identified in Para. 0219, the designated website and application functionality of such, requires that such website be enabled or configured to provide the broadcast message transmission and delivery to such website in order for the user receiving devices to provide this functionality. As such, the Applicants believe that no new matter is added with this amendment.

5.3 Claims 4, 11 and 17 - amended the claims to delete the recitation to “alerting” and replace it with broadcasting which is consistent with the claim terms of the other claims.

5.4 Claim 6 - amended to depend from claim 1 rather than cancelled claim 5 and to recite that the one or more broadcast message transmission systems includes a wireless mobile carrier network for interfacing with the broadcast message management system.

5.5 Claim 9 - amended to depend from claim 1 rather than cancelled claim 5.

5.6 Claim 16 - amended the claim to delete the term “selects” and replace it with as reference to the prior recitations that it is the “determining” of the two or more broadcast message transmission systems.

5.7 Claim 18 - amended to remove the “at least of” so that the claim recites that the selecting is responsive to the message type and the broadcast target area, each defined in the broadcast message request.

5.8 Claims 19 and 20 - amended for clarity and antecedent basis for the terms in the claims from which claim 19 depends.

5.9 New claims 21, 22, and 24 recite the message type or message type identifier which is representative of a message type (as applicable for the claim) is selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry. Support for this is found in the Spec in Para. 0103 and 0104 as to the message type being defined by the channel Id codes and Para. 0234 that lists the different types of codes 500-650 for different languages; 671-674 for industry types such as maritime, aeronautical, and scientific; 690-699 for different originating entities such as the red cross and the national health organization (WHO); and Para. 0235 that following the exemplary list of Para. 0234 of Appendix 1, that “other channels [message types] at the discretion of the networks, and in conjunction with the governmental authorities and other interested parties.” See discussion above in Section 4.1 for further discussion and support.

5.10 New claim 23 - depends from claim 17 and is a duplicate of amended prior claim 2 that depends from claim 1.

Applicant does not believe that new matter has been added with these amendments.

## **6. NO DISCLAIMERS OR DISAVOWALS**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application.

Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution.

Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

**7. REJECTION UNDER 35 U.S.C. § 103**

While the Applicants believe that the above amendments to the claims in view of the that which the Office action identified as being allowable results in the allowability of all currently pending (following this Amendment A) claims, the Applicant disagree with the Office's basis for the 35 U.S.C. § 103(a) Obviousness rejections as the Office's identified interpretations of references are in completely erroneous and without basis, and the Office's identified combination of the system and method disclosed by *Vella/Allport* is merely an attempted combination that has no basis and the resulting combination does not teach or disclose all of the elements of the claims and therefore the Office does not provide a prima facie case of obviousness. As such, the Applicants herein place the following response in the record in these regards.

7.1 Prior claims 1-4, 10, 13-15, 17, 19-20 stood rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Pub. No. 2004/013158, issued to *Vella* (hereinafter *Vella*) in view of U.S. Pat. No. 6,480,578, issued to *Allport* (hereinafter *Allport*). This rejection is respectfully traversed.

As an initial matter, the *Vella* and the *Allport* references will be briefly reviewed, both alone for their individual disclosures and also their combination, e.g., the modification of *Vella* in view of *Allport*. The Applicants acknowledge that they cannot show nonobviousness by attacking these two references individually, however, a rejection based on 35 U.S.C. 103(a) must include a showing that in view of the combined references that all of the elements or limitations of the claim recitations are present in the combination such that the invention as a whole would have been obvious to one of ordinary skill in the art. Each of the *Vella* and *Allport* references fails to teach that which the Office has erroneously suggested by merely reciting the Applicant's claim terms and citing to sections of the references. As will be discussed, the cited references do

not teach or disclose that which the Office has relied upon. Therefore, the combination of *Vella* and *Allport* (hereinafter referred to as *Vella/Allport*) which is the sum of the teaching of the two (in the form of a modification of *Vella* by *Allport*) cannot teach or disclose all of the recitations or elements recited by each of the claims as required by the first Graham factor for a finding of prima facie obviousness (See MPEP 2143.A(1) and 2143.03), the rejections based on the combination of *Vella* and *Allport* should be withdrawn.

As the Office actions base these rejections on *Vella* as a primary reference, the teachings and disclosure of *Vella* will first be reviewed and the incorrect statements in the Office action as to *Vella* traversed as clear error. Then the same will be addressed as to *Allport*. Next the modification of the *Vella* reference by the *Allport* reference will be addressed, both as to the erroneous statements in the Office action and as to a factual combination based on the actual teachings of both *Vella* and *Allport* as one or ordinary skill in the art would correctly apply. Further, as will be addressed *Vella* cannot be modified by *Allport* in support of a prima facie obviousness rejection.

After that, the teachings and disclosure of *Atkin* will be similarly reviewed as to the modification of the combination of *Vella/Allport*. Next the teaching of *Zimmers* and the subsequent modification of the *Vella/Allport* combination by *Zimmers* will be reviewed.

### *Vella*

Contrary to the description in the Office action, *Vella* **does not teach or disclose** *substantially the invention as claimed* in claims 1 and 17, nor does it teach most of the features of the recitations of claims 1 and 17. While Applicants agree that the subject matter of the intended inventive solutions are each to systems and methods for message processing and can be used for a message alerting service, the technical solutions to attain that aim are completely different.

In contrast to the present specification and claims, *Vella* discloses a cellular messaging alert method and system that is different than that recited by the claims in the present application. In fact, the present application describes in the Background Section (Specification, Paras. 0003-00021) a system and method that is similar to that disclosed by *Vella*. As noted, in the Background Section, the *Vella* based system has considerable limitations and problems, some of



which are acknowledged in *Vella*. As identified in the present specification, those limitations are not present in the current claimed system. Spec, Paras. 0043 and 0044.

It should be noted up front that the present claims do not address the originator broadcast message request creation system that is accessed by the broadcast agent/message originator, which is a considerable portion of the disclosed *Vella* system and method.

*Vella's* disclosed systems and methods use a web-based GUI interface that can include a basic rectangular mapping capability (*Vella*, Paras. 0042-0048), however, *Vella* discloses that the alert originator first selects a message target area or location, then the system determines the recipients of the alert based on the a query to a database that stores contact information including the telephone numbers of all of the subscribers or persons that have a home location within the defined message target area. *Vella*, Para. 0049 (emphasis added). The telephone numbers for each identified recipient having a home location in the message target area is determined by *Vella* from a database for use in transmitting the alert message to each individual recipient. *Vella*, Paras. 0058-0061. *Vella* also describes that the initial listing of recipients as identified by their telephone numbers can be added to or reduced based on information obtained from a mobile carriers Home Location Register (HLR) and/or Visitor Location Register (VLR) *Vella*, Para. 0065. *Vella* also teaches an alternative embodiment where the alert message is sent to the mobile carrier for transmission to each telephone number of a user within the HLR and VLR databases of the carrier. *Vella*, 0067.

*Vella* teaches that after the recipients of the message are determined by its system and method, an alert can be generated by the agent. *Vella*, Para. 0050, 0063-0064. The Alert message of *Vella* is generated, "launched" by a launch server by sending a file of all of the identified recipient telephone numbers to an short messaging service (SMS) system of a cellular carrier. *Vella*, Paras. 0069, 0078. The alert message, as taught by *Vella*, is individually transmitted on a point to point basis to each recipient by sending out individual SMS messages based on the individual recipient telephone numbers as required by SMS text messaging and as provided by the file sent from the *Vella* message server. *Vella*, Para. 0053, 0063-0064, 0079. As noted by *Vella*, this results in the mobile carrier having to process individual SMS text messages that can result, in an emergency situation, having hundreds of thousands or even millions of SMS messages having to be processed by the SMS servers of the mobile carriers. See *Vella*, Para.

0079, and Specification, Paras. 0005-0021. Even in the alternative embodiment as described by *Vella*, the launch server merely transmits the file with all of the telephone numbers of the previously identified recipients to the mobile carrier for their internal processing using the SMS server's HLR/VLR databases to transmit the individual SMS messages to the telephone numbers as identified in the HLR/VLR databases of the carrier. *Vella*, Paras. 0080-0081.

In summary, *Vella* discloses identifying individual recipients by the 10-digit telephone number and then replicating the message for each and every recipient in the form of a point-to-point SMS text message sent via the 10-digit telephone number. *Vella* teaches that each recipient receives the alert message via the SMS text messaging capability of the handset.

*Vella* discloses an agent authorization process that is based on the alert originator entering a user name and password to verify the alert agent's authority. *Vella*, Para. 0056. *Vella* also discloses that this verification of each message can include a verbal identification code referred to as a "launch code" whereby once the user name, password and launch code are correctly entered, the alert message is transmitted to the phone numbers for each of the identified recipients. *Vella*, Paras 0056-0058. As correctly noted in the Office action, *Vella* does not provide any disclosure that validates or verifies that the originator of the message to be broadcast has authority to have the message broadcast to the target area for the particular message. *Vella* only discloses that the messaging agent has access authority to the messaging system such as a user login and a message launch code (user name, password and some additional code that is secret that is input to tell the system that the message can be transmitted. As such, it appears inherent in *Vella* that the messaging server must store user ids, passwords and also message launch codes.

*Vella* discloses a message broadcasting system (shown in Fig. 3 as 300) that uses a launch server with an apparent tie-in to a system database 335 "in order to determine the recipients for the alert within the defined area" *Id.*, Para. 0074. Only after determining the recipients does the *Vella* system web interface server 335 receive the message data from the alerting agency 305 or 310 to be included in the alert message. *Id.*, Para. 0075. Or in the alternative, the unformatted message is sent to the mobile carriers SMS point to point messaging server 355/357 to all cellular phones currently registered in the SMS server's HLR/VLR database 360. *Id.*, Para. 0080.

Vella - responses to specific incorrect statements in the Office action

a. *Vella* teaches *substantially* the invention as claimed including a message broadcast system for collecting broadcast messages from a plurality of broadcast message originators and providing a broadcast message to a plurality of broadcast message transmission systems for broadcasting to a plurality of user devices located within a geographically defined broadcast target area, (OA, p. 14, Para. 3).

Response: As will be discussed and as discussed above, while *Vella* discloses a message broadcast system, the *Vella* disclosed system, architecture and processes are completely different than those recited by the current claims and while the purpose is similar, the solution is very different.

b. *a broadcast message management system communicatively coupled for receiving broadcast message requests from a plurality of coupled broadcast agent message origination systems* (OA, p. 14, Para 4) and each broadcast request being from a different originating broadcast agent associated one of the coupled broadcast agent message origination systems (para. [0021] Agencies to send alert messages (OA, p. 14, Para 4).

Response: As shown by way of example in *Vella*, Fig. 3, *Vella* discloses a broadcast agent message origination system 310, with web server 325 and launch server 330 coupled to proprietary database 335 that receives feeds from the Bellcore database 340 and PC Consultants database 345. This system 300 is described by *Vella* in *Vella* Para. 0069 as “an exemplary system *for providing an alert.*” (emphasis added). *Vella* discloses that alerting agencies connect to the web interface server 325 and that such displays the webpages enabling the selection and definition of the alert request. *Id.*, Paras. 0069-00710. After having the alert area defined, the web interface server 325 accesses the database 335 to determine the telephone number or recipients of all devices within the target area and only then does the system 300 include the alert message, See *Id.*, Paras. 0074-0077, wherein the server “combines the input message with the information polled from the system database and outputs the result file to the web launch server.” *Id.*, Para. 0078. In other words, the system server 300 as taught by *Vella* determines all of the telephone numbers for all mobile devices identified to be within the target area and then builds a file with the message and the entire list of telephone numbers for which the message is to be

sent. This is so as SMS messaging requires a list of telephone numbers and is a point to point message service.

*Vella* discloses that the file is then sent to the cellular carrier for their SMS messaging system processing. As such, *Vella* only discloses the broadcast agent message origination system that is a web hosted interfaces and which server receives the message and the list of recipient telephone numbers to which the message is to be sent. *Vella* does not teach or disclose a broadcast message system that receives requests from a plurality of broadcast agent message origination systems each providing a broadcast message request that includes a message, the originator agent ID and the target area.

*c the broadcast request* including a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message, the system receiving the plurality of broadcast message requests (para. [0049][0051 Receive location and inputted text for alert message, para. [0055] [0056] Select location and provide identification.). (OA, p. 14, Para 4).

Response: As addressed in the immediately above discussion, *Vella* clearly discloses that the target area is first defined and submitted to the origination system (*Vella*, Para. 0074); then the list of recipient is determined (*Id.*, Para. 0075); and then the message to be sent is input (*Id.*, Paras. 0076 and 0077). Only at that time does the system 300 of *Vella* “combine” the input message data with the polled recipient data to form a file that is sent or transferred to the web launch server 330. As defined by *Vella*, this file that is sent to the launch server is not a broadcast request that is then verified by any disclosed system and does not even include the broadcast target area, but only includes the input message data that includes the message, alert locations such as airports, the user name, and an authentication code for verifying their authorization to send alert message. *Id.*, Para. 0077. *Vella* discloses the launch server then determines an address format required by the SMS system of each carrier for text messages and then send the formatted messages to “the public network.” *Id.*, Para. 0080. Or in the alternative, provides no formatting and only sends the unformatted alert message to the SMS server of the carrier with instructions to launch the properly formatted message to all cellular phone currently registered in the SMS server’s HLR/VLR database 360.

As such, contrary to the assertions in the Office action, *Vella* does not teach or disclose the broadcast request including a broadcast agent identification, the geographically defined

broadcast target area, and a broadcast message, the system receiving the plurality of broadcast message requests.

d. verifying an authority of the originating broadcast agent (para. [0056] Verify alert originator's authority.), (OA, p. 14, Para 4). The Office goes on to correctly state that “*Vella* does not specifically teach verifying the broadcast request as a function of the broadcast agent identification, and an authority of the originating broadcast agent to send the particular broadcast message to the broadcast target area of the broadcast message request.” (OA, p. 15, Para. 2)

Response: The only teaching in *Vella* closely related at all to a step or process of verifying is as to the person or agents accessing of the webpage of the message origination system webpage using and identification code, user name and password. *Vella*, Para. 0056. As disclosed, the system 300 which is the origination system includes the user name or authentication code field 760 in the input message data file that is sent to the launch server but *Vella* does not otherwise teach that the launch server or any other component other than the webpage interface server for the agent message origination system verifying an authority of the agent to send the message. The Office misinterprets the teachings of *Vella* in this regard.

e. the system further identifying one or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast request, and transmitting the broadcast message and the broadcast target area to the identified broadcast message transmission system (para. [0079] Sends formatted messages to public network, para. [0080] Send message to SMS server 355/357 of cellular carriers.). (OA, p. 15, Para 1).

Response: *Vella* discloses the launch server that receives the message having he input message data and the listing of the recipients. *Vella* discloses that the launch server 330 transmits such over the “public network” or “internet” if formatted for the particular cellular carrier providing the messaging service to the list of recipients or in the alternative if unformatted it “sends” the unformatted message to the SMS server 355/357 of the particular carrier with instructions for the SMS server of the mobile carrier to launch the properly formatted message, (e.g., where the carrier performs their own formatting. See *Vella*, Para. 0080. Regardless, as shown in Fig. 3, *Vella* discloses two methods wherein the message origination system uses the target area to determine a listing of mobile devices or recipients

located in the target area based on querying the mobile carrier databases such as the HLR/VLR, the BellCore database 340 or the PC Consultants database 345. *Vella* discloses that only after the recipient list is combined with the message data is it transmitted to the mobile carrier's network or SMS hardware 355, 357. While Applicants agree that the "internet" 320 is used and that *Vella* discloses a launch server 330 as a part of the message origination system 300, contrary to the assertions in the Office action, *Vella* does not teach or disclose selecting or determining a message broadcast network that server a portion of the target area. To the contrary, *Vella* only discloses in the OA's referenced Para. 0079 that "the launch server 330 formats the alert message to comply with the **particular cellular carrier providing service to the recipient.**" Emphasis added. *Vella* does not teach or disclose any form of network selection or determination.

For these reasons alone, contrary to the assertions in the Office action, *Vella* does not teach or disclose those elements recited by the current claims. As such, rejections based on such incorrect assertions are not supported and therefore a prima facie case of obviousness based on these asserted and unsupported teachings in *Vella* must be withdrawn.

### *Allport*

*Allport* discloses a communication system for notification of warnings. *Allport*'s system monitors the telephone lines for specific codes that are sent out over the wireline network and upon receipt of a code, activates a visual or audio alerting notification. In other words, the wireless telephone network is configured to send alerting codes over the wirelines to activate the local notification device almost like a reverse home monitoring alarm system. To accomplish this, *Allport* discloses that the central office based system must identify each and every line that is located in the message or alert target area based on the telephone numbers and a storing of the location of the telephone devices based on their telephone numbers. As described, to anyone that knows anything about wireless telephone equipment, is very difficult if not impossible post number portability implementation as mandated by the FCC. A database of wireline numbers and their physical location has to be maintained, and are often complex back office systems used by telephone company maintenance and repair personnel. The telephone number has to be cross-referenced to a physical pair etc. Just like caller ID service, to generate a code over a telephone line, the local central office switch has to access the line via a modem or similar device to input



or apply the code, just like the applying a ring tone power.

*Allport* does address to a limited degree the message creation and processing for alerting messages as identified, but really misidentified, by the Office. In Fig. 12, the *Allport* process includes entering postal codes and signal type in S120, and checking input authorization in S122 and authorization validation in S124. However, contrary to the reliance and misinterpretation in the Office action, *Allport* discloses that the authorized party must input some form of authorization (step S122) in order for processing to continue. *Allport*, Col. 13, lines 10-12. As taught, it is the agent that inputs authorization. *Allport* discloses that the authorization can depend on the system's intended scope, and use, and may include passwords, electronic or mechanical keys, magnetic cards, tokens or any other form of identification verification. *Id.*, lines 12-16. (emphasis added). In other words, *Allport* clearly discloses that its **verification is as to the identification of the party** inputting the message. *Id.* Only after the party is authenticated as to identification, does the authorized party communicate to the telephone company's switch equipment, those regions to be sent the coded message. *Id.* Lines 17-20. In other words, the identity of the party that is accessing the telephone central office switch, is verified only for access to the CO switch. Once the CO switch is accessed, the party can enter the "target area" as the region for the alert coded signal to be sent as well as the type of signal to be sent. *Id.* Lines 10-24 and col. 14, lines 45-55. *Allport*, like *Vella*, merely includes a disclosure as to verifying that the accessing party is authorized to access the system or to send particular types of signals (*Allport*).

*Allport* - Response to specific erroneous statements in the Office action:

*Allport* teaches verifying a broadcast request as a function of a broadcast agent identification and an authority of an originating broadcast agent to send the broadcast message to the broadcast target area (col. 12, line 66-col. 13, line 1. Types of signal that can be sent. col. 13, lines 17-22. Communicate regions to be sent a coded signal and specific signal type to be sent to each region, col. 14, lines 45-49. Validate that the sender has the authority to issue such signals.). (OA, p. 15, Para. 3).

Response: *Allport* does not teach this, but rather teaches a different process for which the Office has misinterpreted and erroneously applied in combination with the acknowledged



missing component of *Vella*. *Allport* discloses its authorization process in Fig. 12 and the related portion of its disclosure as correctly identified in the Office action as *Allport*, col. 12, line 66-col. 13, line 1. However, *Allport* teaches that “There are three main roles within this system. First (with reference again to FIG. 1), the office A10 must provide information and instructions to the telephone company's central office A12, then the central office must provide information and instructions to the local switches A14, and then the local switches A14 must provide the notification messages to the appropriate subscribers A22.” *Id.*, Col, 12, lines 31-37. *Allport* then describes these three role processes in order with the process of Office A10 (the message or alerting authority) that provides instructions to the telephone company central office A2 being described in Fig. 12.

In the referenced portion of *Allport*, col. 12, line 66-col. 13, line 1, *Allport* states there are “three types of signals that can be sent, namely "all clear," "warning," and "emergency".” None of this has anything to do with teaching a validation. But rather, as a lead in and with reference to Fig. 12, *Allport* discloses “The *authorized party* must also *input some form of authorization* (step S122) in order for processing to continue. *The method of authorization depends on the system's intended scope and use, and may include passwords, electronic or mechanical keys, magnetic cards or tokens or any other form of identification verification.* According to preferred embodiments of the present invention, *the authorized party* communicates to the telephone company's switch equipment, those regions to be sent a coded signal, and the specific signal type to be sent to each region. Accordingly, *if the authorization is determined to be valid (step S124), then the postal codes and signal type are sent to the telephone switches (step S126).* In the embodiment described in FIG. 12, *an invalid authorization can be entered once.* Therefore, if the *authorization is determined to be invalid (step S124), another opportunity is provided to give a valid authorization (steps S128, S130), otherwise the process terminates.* *Id.*, Col, 13, lines 1-18 (emphasis added).

As such, *Allport* discloses that the originating party has to provide some sort of authorization input to the central office switch of the local telephone company in order to input the data or gain access to the central office switch/computer access. Of course as anyone of ordinary skill in the art understands, a central office switch only serves a local city or geographic portion of a city based on the wired network of trunks and lines. As such, *Allport* teaches that the alert originator has to gain access to each and every geographically located transmission

device or management and enter an access code, be allowed to gain access and then to pass on the alert message. The alert originator or his system has to gain access to each local distribution network. This is not what is recited by the claims. Additionally, the telephone companies never allow anyone access to their switches even under unbundled network elements scenario. The method of authorization as taught by *Allport* for accessing an inaccessible telephone company central office switch “. . . depends on the system's intended scope and use, and may include passwords, electronic or mechanical keys, magnetic cards or tokens or any other form of identification verification.” *Id.*

Contrary to the assertions in the Office action, *Allport* does not teach or disclose the a broadcast request as recited by the claims if verified based on target area or even type of message. *Allport* merely teaches a secured access to a network central office switch which is essentially secure access to a computer.

As such, the rejections based on the supposed teachings of *Allport* are unsupported by *Allport*'s disclosure.

#### *Vella/Allport*

First, the Applicants note that the combination or modification of the SMS message broadcasting system of *Vella* by the alerting signal on a per-line basis of *Allport* is not a suitable combination in any manner. *Vella*'s discloses a messaging system that is based on sending SMS text or multimedia messages over a mobile network using the SMS messaging system. The alerting messages of *Vella* are used to query a database (HLR and VLR databases) to identify the telephone numbers of the mobile devices that happen to be in the target area at the particular time as they are mobile. The *Vella* system then transmits the identified telephone numbers to the SMS point to point messaging system so that the message is transmitted one at a time via the SMS messaging system to each provided telephone number. In contrast, the *Allport* system is a wireline based system that discloses that the manager or messaging agent has to access each central office switch, which inherently as known to anyone of any ordinary skill in the art, is already geographically allocated and defined and has been since the original telephone systems were implemented nearly 100 years ago. The *Allport* system requires that each central office switch be accessed and then each line serving a particular portion of the central office serving area is determined. Only then does a “signal,” not the message, but a signal each of which is a

separately defined Frequency Shift Key modulation signal (See *Allport*, Col., 14, lines 7-42), based on the type of message, is transmitted over the particular wireless lines, so as to activate the physical alerting device that is attached at the remote location. Anyone of any skill in the art would clearly understand that the wireless technologies of *Allport* are not compatible with or combinable with wireless mobile telephone systems and are clearly not combinable with SMS text messaging used with mobile carrier systems. When has the examiner been able to obtain and SMS message on a wireline telephone such as taught by *Allport*. These are two completely different technologies. That is why *Allport* merely sends an alert signal over the wireline and one reason why implementation of calling number and calling name services were extremely difficult and costly in the wireline telephone systems, but were inherent in the mobile telephone systems. They are completely different and not combinable technologies.

Second, contrary to the Office action, *Allport* does not teach any type of verification or authorization or validation as to whether a particular message as received from a particular broadcast agent, is verified that the particular sending or originating agent has the authority to send that particular message to the particular geographically defined target area. This capability is not taught by *Allport*, is not taught by *Vella* and is not taught by any other cited or known reference.

However, to be clear to the Office and this particular examiner, the Applicants have amended claims 1 and 17 to clarify the claimed verification process. As amended, claims 1 and 17 now recite that the broadcast message management system, which receives the broadcast request with the particular message to be broadcast and the geographically defined target area for that particular message to be broadcast into. This includes a comparison of a stored geographically defined broadcast message jurisdiction for the broadcast agent that originated the message against the target area for the particular message. As such, each broadcast request with each broadcast message and each associated target area, is compared against a predefined (stored) preauthorized geographical target area for the originated message agent. As described in the specification, each agent is preauthorized for sending messages only to his/her geographic area. See by way of example, Specification, Para. 0163. While the current system also include the identification verification of the agent as taught by *Vella* and *Allport* (See Specification, Para. 0200, for entering of a password, etc. The specification refers generally to this as the jurisdiction

of the agent. *Id.* At 0029, 0060, 0072, 0081, 0082, 0112, 0163, 0179, and 0201. The Specification clearly and repeatedly describes this jurisdictional authorization of each agent based on each message to be sent to each particular target area for the message. This is not disclosed in *Vella/Allport* or any other references. None of the references or the combination of *Vella/Allport* disclose storing of a geographically defined broadcast message jurisdiction for an agent and then comparing the such stored agent jurisdiction to the target area of each message to ensure that that each message is being originated by an agent whom has authority to transmit and broadcast a message to the intended target area for the message.

Response to OA statement on the combination.

a. With regard to claim 1 the Office states: It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the system of *Vella* to be configured to verify a broadcast request as a function of a broadcast agent identification and an authority of an originating broadcast agent to send the broadcast message to the broadcast target area as disclosed by *Allport*. One of ordinary skill in the art would have been motivated to combine the teachings as *Vella* discloses that changes made be made without departing from scope. *Allport*, which similarly deals with broadcasting messaging, would have improved security by allowing authorized parties to send certain notifications and would have provided the benefit of a timely and cost effective means to notify people within geographic regions (col. 2, lines 56-61). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art. (OA, p. 15, Para 4).

Response: As noted, *Allport*'s authorization or validation teaching is nothing more than a secured access to a telephone company central office switch. (See above discussion). The Office's interpretation otherwise is technically incorrect and without any support and a complete misinterpretation of *Allport*.

b. With regard to claim 17, the Office merely copies the Applicant's claim 17 and adds in a few erroneous paragraph citations to *Vella* and *Allport* and states "*Vella* teaches substantially the

invention as claimed . . .” (OA, p. 16, para 2). After restating the Applicant claim 17 elements, the Office concludes: It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the system of *Vella* to be configured to verify a broadcast request as a function of a broadcast agent identification and an authority of an originating broadcast agent to send the broadcast message to the broadcast target area as disclosed by *Allport*. One of ordinary skill in the art would have been motivated to combine the teachings as *Vella* discloses that changes made be made without departing from scope. *Allport*, which similarly deals with broadcasting messaging, would have improved security by allowing authorized parties to send certain notifications and would have provided the benefit of a timely and cost effective means to notify people within geographic regions (col. 2, lines 56-61). (OA, p. 17, Para. 2).

Response: As noted, *Vella* does not teach that on which the Office asserts. Further *Allport* does not teach that on which the Office asserts. As such, the combination of *Allport* with *Vella* cannot support a prima facie case of obviousness as it cannot teach or disclose all of the elements recited in claim 17 or any other claim. As such, the rejections should be withdrawn.

For these reasons, claims 1 and 17, as originally submitted and also as amended herein, are not obvious in view of *Vella/Allport* or any other combination of any cited reference. As such the rejections to claims 1 and 17 should be withdrawn and claims 1 and 17 placed in allowance. Further claims 2-4, 6-16 and 26 and 27 depend from claim 1 and claims 18-25 depend from claim 17 and each of claims 2-4, 6-16 and 18-27 are allowable due to their dependency from an allowable claim.

c. Response to the Office action rejections to dependent claims 2-4, 10, 13-15, and 19-20:

As noted, contrary to the statements in the Office action, the *Vella/Allport* combination fails to teach the system of claim 1 and the method of claim 17.

Claim 2 recites wherein the one or more message broadcast message transmission systems are selected from the group consisting of a wireless mobile carrier network; a wireless Wi-Fi network; a digital private radio systems operator network; a private radio system network; an internet provider; an internet service provider networks; a wireline telecommunication

network; a satellite network; a CATV network; a radio system; a website; a website content provider providing text, graphical data, image and mapping content service via a website; and a television system. The Office erroneously states that “*Vella* teaches wherein the two or more message broadcast message transmission systems are selected from the group consisting of wireless mobile carder network, wireless Wi-Fi network, digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system (para. [0079] Send message to public network, Internet. Paragraph 0080. Send message to SMS server 355/357 of cellular carders.).

Response: *Vella* only discloses a system for transmission to a mobile/wireless carrier’s text message system (SMS). *Vella* only discloses searching the various data bases for identifying what recipients are within the target area and combing that polled list with the message data to send either preformatted or unformatted to the mobile carriers SMS system 355 or 357. While the internet may be used for sending or transmitting the unformatted or formatted combined message data and recipient file from the launch server 330 to the carrier messaging hardware 357, 355, *Vella* does not otherwise disclose that the broadcast message management system further determines two [[one]] or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast message request, and transmitting the broadcast message and the broadcast target area to the identified two or more broadcast message transmission systems, except that it has pre-identified a mobile carrier messaging system. The claims do not recite the means for transporting the broadcast message between the broadcast message management system and the determined broadcast message transmission system, but the type of broadcast message system that is determined to serve at least a portion of the broadcast target area. There is no teaching in *Vella* as to any other type of broadcast message distribution system and absolutely none as to it being a wireless Wi-Fi network; a digital private radio systems operator network; a private radio system network; an internet provider; an internet service provider network including an internet service provider providing a website and a website content provider providing text, graphical data, image and mapping content service via a website; a wireline telecommunication network; a satellite network; a CATV network; a radio system; and a television system.



As such, the rejection to claim 2 should be withdrawn. Similarly, new claim 23 is also allowable.

Claim 3 recites the broadcast message management system includes a distributor that performs the determining of the broadcast message transmission system as a function of determining that that each determined broadcast message transmission systems provides broadcast messaging service to at least a portion of the broadcast target area of the broadcast message request.

The Office states that *Vella* teaches a broadcast message management system includes a distributor that performs the identification of the broadcast message transmission systems (para. [0053] [0066] Determine relevant cellular carriers servicing recipients in the location.).

Response: The Office misquotes and misinterprets *Vella* in this regard. *Vella* discloses that system 300 determines the recipients based on the polling of the mobile carrier's databases as addressed above. The combine file having the message and the list of recipients (telephone numbers) is forwarded either formatted or unformatted to the mobile carrier's messaging system. There is absolutely no disclosure or teaching in *Vella* that the mobile carrier is selected, but only the recipients are determined and included in a file that is sent to the carrier. The launch server 330 does not perform this function but merely sends the previously identified list of recipient telephone numbers with the message to the sent. This rejection should be withdrawn.

Claim 10 recites the broadcast message management system receives the broadcast message request and determines a broadcast message type identifying the type of message of the broadcast message request and wherein the identified broadcast message type is transmitted to the identified one or more broadcast message transmission systems. Claim 15 recites the broadcast message request includes a message type identifier, and wherein the broadcast message management system transmits a message type to the broadcast message transmission system responsive to the message type identifier. Claim 19 recites that for each broadcast message request, the process of determining a broadcast message type from the broadcast agent identification and wherein transmitting includes transmitting the determined broadcast message type to the one or more coupled broadcast message transmission systems with the broadcast message and the broadcast target area of the broadcast message request.



The Office notes that *Vella* does not specifically teach the system of claim wherein broadcast message management system receives the broadcast request and determines a broadcast message type identifying the type of message of the broadcast message request and wherein the identified broadcast message type is transmitted to the identified broadcast message transmission network. The Office relies on *Allport* to teach a broadcast message management system that receives a broadcast request and determines a broadcast message type identifying the type of message of the broadcast message request and wherein the identified broadcast message type is transmitted to the identified broadcast message transmission network (col. 12, lines 40-51, 66-coi. 13, line 10) in support of its obviousness rejection. The Office basis this on that teachings for the broadcast message management system to receive a broadcast request and determine a broadcast message type identifying the type of message of the broadcast message request and wherein the identified broadcast message type is transmitted to the identified broadcast message transmission network as taught by *Allport* would have been motivated to combine with *Vella* without departing from scope as *Allport* similarly deals with broadcasting messaging and would have improved security by providing timely and cost effective means to notify people of situations (col. 2, lines 56-61).

Response: As noted above, *Allport* uses the word “type” completely differently than the present Specification with which the current claim terms are defined and *Allport* does not disclose such message types even under the broadest reasonable interpretation standard when *Allport* if fully and correctly interpreted for its teachings.

*Allport* discloses a device 10 that is mounted in each home or other location that is wired to the incoming telephone line. The various signals of *Allport* are FSK signals signaling applied to the Tip and Ring of the telephone line of each telephone customer to be alerted. Different FSK signals are used to identify the “type” of signal to be sent to the *Allport* device 10. “There are three types of signals that can be sent, namely "all clear," "warning," and "emergency". *Allport*, Col. 12, line 66 to Col. 13, line 9. The device 10 of *Allport* utilizes the received FSK signal to activate the related alarm or message previously stored within the device 10, in other words, the message of *Allport* is only an activation message. As taught in the treatment of different languages, *Allport* discloses “In order to deal with different languages, cultures, types of emergencies etc., the alarm/notification device 10 can have a replaceable information card from which it gets its textual and sound information. For instance, in one part of the country a

red #2 warning might be a tornado warning, whereas in another part of the country it might be a flood warning. Rather than replace the entire device when a subscriber relocates geographically, the information card is replaced based on the region, the subscriber's language and other local and personal factors. Further, this card will list all radio and TV stations that participate in the local emergency broadcast system, as well as specific telephone numbers to call to test the system or to reach prerecorded messages about the system. These messages can be delivered in a variety of languages." *Allport*, Col. 11, line 61 to Col. 12, line 8.

In this case, the *Allport* messages are only instructions as to whether it is an emergency, whether there is a warning or it is all clear. These are not the message types.

Further, there the FSK system of *Allport* does not provide the message itself, does not provide a broadcast message request and does not provide the broadcast message. Contrary to the Office action *Allport* does not disclose a broadcast message system that includes both the broadcast message and an identifier of the type of broadcast message and that are both transmitted to the two or more broadcast transmission systems.

For these reasons, the rejections to claims 10, 15 and 19 should be withdrawn.

Claim 20 recites the transmitting of the identified broadcast message type is responsive to the identified broadcast message type being an acceptable message type for the two or more coupled broadcast message transmission systems to which the verified broadcast message is transmitted.

The Office states, *Vella* does not specifically teach the method of claim 17 wherein the transmitting of the broadcast message type is responsive to the broadcast message type being an acceptable type for the identified broadcast message transmission system. *Allport* teaches a broadcast request that includes a message type identifier, and wherein a system transmits a message type to the broadcast message transmission system responsive to the message type identifier (col. 12, lines 40-51, 66-col. 13, line 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the broadcast request to include a message type identifier, and for the system to transmit a message type to the broadcast message transmission system responsive to the message type identifier as taught by *Allport*. One of ordinary skill in the art would have been motivated to combine the

teachings as *Vella* discloses that changes made be made without departing from scope. *Allport* similarly deals with broadcasting messaging and would have improved security.

Response: There is absolutely no teaching in *Allport* as to selection of the broadcast network or system but only recipients and then transmitting the combined message data and polled recipient list file from a launch server that is then transmitted to a mobile carrier messaging center/system. The system of *Allport* uses a different type of “types” of signals and does not disclose selecting any transmission system or otherwise based on the signal type, but only that the signal type is received by a central office and that the signal type is then sent out to all of the identified telephone lines. Neither *Vella* or *Allport* alone or combination teach or disclose that it is first determined that the message type is an acceptable message type before the broadcast message is actually sent to the two or more broadcast transmission systems. For this reason, the rejection to claim 20 should be withdrawn.

7.2 Claims 11-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Vella*, in view of *Allport* and further in view of U.S. Pat. Pub. No. 2004/0192258, issued to *Atkin* (hereinafter *Atkin*). This rejection is respectfully traversed.

The Office again incorrectly interprets the cited reference, this time *Atkin*.

With regard to claim 11, claim 11 as amended recites the broadcast message request [that is received by the broadcast message management system that performs the validation and broadcast message identification] includes a broadcast message that is a broadcast messaging system administrative message of one or four specified types, i.e., consisting of message recall, language identifier, network selector, and request for message progress status. As an initial matter, the rejection in this regard appears to be based on the basis that *Atkin* purports to teach a language identifier and as claim 11 lists this as one of the four, the Office has rejected claim 11 as the *Atkin* reference does not in any manner teach or disclose a message recall, a network selector or message progress status system administrative message as *Atkin* only addresses automated translations of messages.

In regard to the purported teaching of *Atkin* as to an administrative message being within the broadcast message request that is received by the broadcast message management system for processing, *Atkin* clearly does not disclose or teach such a broadcast message request or any form of such a system or process.

The Office states that *Atkin* teaches a system for broadcasting messages, wherein a broadcast message is an alerting system administrative message such as message recall, language identifier, network selector, and request for message progress status by citing to three paragraphs in *Atkin* (paras. 0031, 0035, and 0037). (OA, p. 21, Para. 4). From this, the Office finds it would have been obvious for one of ordinary skill to be motivated to combine the teachings as *Atkin* as to a “similar” broadcast messaging system as *Vella* to for “improved broadcasting notification in *Atkin* by providing messages that would enable recipients to understand emergency warning messages.” (para. [0002]). (OA, p. 21, Para. 5).

Response: The Applicants agree that *Vella* and *Atkin* are analogous art as both utilize the archaic SMS and MMS messaging models for attempting to send broadcast messages to a plurality of geographically located mobile devices. However, *Atkin* does not teach a system or method as purported by the Office and such *Atkin* system is different than that described by the Applicants and that which is recited by claim 11 in combination with claim 1.

*Atkin* discloses that the HLR and VLR systems of the mobile network merely attempt (based on the “most likely” determination) to identify an indication of origin of each mobile device upon registration of the mobile device with the mobile network in a particular geographic area served by the HLR/VLR. See *Atkin*, Paras. 0002, 0009, 0011, 0028, 0030, 0031, 0035, 0037 and 0038. As taught by *Atkin*, (and contrary to the assertions by the Office in the Office action), *Atkin* discloses that when a wireless device is activated in a mobile carrier system, “The registration of the wireless communication device includes the creation of a database entry at the mobile switching center that identifies the wireless communication device and *includes an indication of the origin, such as the country code, of the wireless communication device*. Based on this indication of origin, a desired output language may be identified. This identified output language may then be used to identify pre-stored versions of a broadcast message that are in the output language or identify the mechanism for translating a broadcast message from an original language to the identified output language. In this way, the broadcast message is generated in a language that is most likely to be understood by a user of the wireless communication device.” *Id.*, Abstract, and also see Paras. 0002, 0009, 0011, 0028, 0030, 0031, 0035, 0037 and 0038. As one of ordinary skill in the art learns from *Atkin*, *Atkin* teaches that the when a mobile device is registered, the system identifies “an indication of origin” of the mobile device such as the country code that is the home location of the mobile device. This indication of origin is stored in

the *Atkin* VLR/HLR system and associated with the telephone number of the device or mobile subscriber. As taught by *Atkin*, this indication of origin is later used in an attempt to process a message to be sent via the SMS system that is “most likely” translated in the language based on the country of the indication of origin. This of course is not guaranteed as it presumes that if you are from the US then English is the language, even though the subscriber may in fact be of a different language even though living in the US. Further *Atkin* teaches that the broadcast message is obtained from the message source (Figs. 3 and 4) and then the mobile devices are identified for those that are active and within a target area which requires a search of the VLR and HLR databases. Then only after the list of mobile devices are identified “for each wireless device, determine language for the message” which is based on the previously identified and stored “most likely” indication of origin and a language that the system thinks is the language mostly likely associated with that indicator of origin. The language identification is only on the stored indication of origin based on the earlier registration as stored.

*Atkin* provides “Based on a determination that a wireless communication device is present in the area of interest for the broadcast message, the controller 210 instructs the broadcast message translation module 250 to determine the proper translation for the broadcast message and to generate the translated message for output to the wireless communication device.” *Atkin*, Para. 0046 (emphasis added). “The broadcast translation module 250 determines the appropriate output language for the broadcast message based on an identifier of origin in the registry entry for the wireless communication devices in the area of interest of the broadcast message. In a preferred embodiment, the identifier of origin is a country code in the address, e.g., a telephone number, associated with the wireless communication device. *The country code may be mapped to a language that is the predominant language for the country corresponding to the country code.* Thus, for example, a country code corresponding to the United States may be mapped to an English output language. Alternatively, or in addition, a registry entry may include a user designation of an output language. This user designation of an output language may supercede using the country code as an identifier of an appropriate output language.” *Atkin*, Para. 0047 (emphasis added). “Once the appropriate output language is identified, the broadcast message translation module 250 then translates the broadcast message from its original language into the desired output language. This translation may be an actual translation of the words in the message stored in the active broadcast message database or may be a selection of a prestored

version of the broadcast message stored in the active broadcast message database, for example.” *Atkin*, Para. 0048 (emphasis added). “Once translated, the translated broadcast message is provided to the MSC via the interface module 220 for transmission to the wireless communication device. This process may be repeated for each wireless communication device determined to be within the area of interest of the broadcast message. Furthermore, this process may be repeated at regular intervals until it is determined that the broadcast message has expired, e.g., by determining that the current time is outside the range of active times for the broadcast message.” *Atkin*, Para. 0049 (emphasis added).

From this, it is clear, that contrary to the Office action, there is absolutely no teaching in *Atkin* that the original message request received from the message source includes any language identifier, or any other administrative message, but rather the mobile carrier office determines a language identifier based merely on the telephone number or the country of origin determined with the registration of the mobile device onto the system. Therefore, as *Vella/Allport* do not teach any such administrative messages and the purported combined reference *Atkin* does not fill in such missing teachings, the combination of *Vella/Allport/Atkin* does not teach all of the elements of claim 11. Therefore, the rejection to claim 11 should be withdrawn.

7.3 Claims 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Vella*, in view of *Allport* and further in view of U.S. Pat. Pub. No. 2004/0013417, issued to *Zimmers* (hereinafter *Zimmers*). This rejection is respectfully traversed.

Claims 16 and 18 as amended recite in slighting different language that the broadcast message management system is coupled to a plurality of broadcast message transmission systems, and wherein the determining includes selecting at least one of two or more broadcast message transmission systems from among the plurality of coupled broadcast message transmission systems responsive to the message type and the broadcast target area.

The Office states that *Vella/Allport* teaches a broadcast message management system is coupled to a plurality of broadcast message transmission systems, and determines the two or more broadcast message networks from among the plurality of coupled broadcast message transmission systems the broadcast target area (*Vella*: para. [0053][0066] Determine relevant cellular carriers servicing recipients in the location.) but not responsive to at least of the message type. The Office relies on *Zimmers* for the selecting two or more broadcast message networks from among a plurality



of coupled broadcast message networks responsive to at least of a message type and target area (para. [0087] [0090][0091]). The Office concludes that the combined the teachings to include selecting one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to at least of a message type and target area as taught by *Zimmers* and that the motivation to combine the teachings as *Zimmers* would have been improved broadcasting notification in *Atkin* by similarly "intelligently" providing notifications and repeat notifications based on different factors such as responses by recipients or expiring of an emergency (para. [0020]).

Response: As a first matter it is noted that *Atkin* is not identified in the rejection but is referenced as support for the motivation to combine which is inconsistent with rejection.

As to the substance, *Zimmers* is relied on for teaching selecting the transmission network based on the type of the message to be sent in addition to the transmission network serving at least a part of the target area.

As will be addressed, the reliance on *Zimmers* is misguided as *Zimmers* solely relates to the process of broadcast message request origination which is not recited by the present claims but rather deal with the broadcast agent broadcast message origination process. Such is an input into the present claims, but is not claimed by the claims.

This is clear when reviewing *Zimmer* as a whole but is represented by a review of the specifically identified portions in support of the rejections. The Office action identifies Paras. 0087, 0090, and 0091 from *Zimmers* for support for the teaching of a messaging system selecting two or more broadcast message networks from among a plurality of coupled broadcast message networks responsive to at least of a message type and target area. A closer review of *Zimmers* demonstrates the erroneous nature of the support for these purported teachings of *Zimmers*. As taught by *Zimmers*, its "system stores a database of information including a plurality of communications identifiers and additional information for subscribers having those identifiers, including geographic locations and/or school/organization membership information." In other words, it is a subscription point to point messaging system that requires a prior subscription such as a school. *Id.*, Para. 0050. .

*Zimmers* Para. 0087 - This paragraph relates to Fig. 4D, one of several figures in *Zimmers* relate to the processing within a message subscription and origination system, not a message management system as per the current claims that is in the middle, middleware. This properly



reviewed in perspective to the disclosure. As identified in Fig. 1, alert message origination can come from a data feed system such as satellites (108, 109). The subscription system appear to include and an IVR 116 or web server 114 or contacting through the public switched telephone network based on subscribed lines. *Zimmers* teaches that “Alerts are received by database query system 112 through a variety of channels and take different forms. Weather related alerts including flood alerts and other alert conditions identified by the National Weather Service are provided by notification parsing system 106 to database query system 112.” *Id.*, 0051.

Fig 4A discloses a process described in *Zimmers* Para. 4A as being “the process for parsing EMWIN [National Weather Service] data feeds at the notification parsing system 106 . . .” *Zimmer*, Para. 0081, first sentence. This raw data input process is described in Para. 0081-0082 for providing automated feeds for possible alerts such as NOAA alerts in place of an agent or person originator. As described here, the *Zimmers* system receives raw data feeds from a third party notification system such as the national weather system and determines various data to build an alert message packet. As taught, “. . . in step 416 the file is parsed for an expiration time, current location, heading and speed, if such information is available in the text file. After this information has been collected, in step 418 a data packet (having the format illustrated in Table I) is generated. . . . In step 420 the data packet is sent to the database query system 112. . . .” *Id.*, Para. 0082. This has nothing to do with receiving the broadcast message request, but rather is a front end message origination system function describing one possible way of collecting data for a creating a broadcast message request.

Next *Zimmers* discloses with reference to Fig. 4B and Paras. 83-85, the processing that is performed by an integrated voice response (IVR) administrative system, which is yet another process that *Zimmer* discloses for creation of the broadcast message request prior to sending it on to a system similar to that recited by the present claims. This is an interaction system using an IVR for collecting message alert originator input via (here) a dial up communication line wherein the calling message originator enters a password and the calling number ANI is verified for an allowed notification as an alert origination system access security means.

In the next step, Fig. 4C and Para. 85, a process enabling new subscriber registration system to enroll new subscribers to the above IVR agent origination system for future broadcast message generation. . .

Now to the recited Paragraph that is related to Fig. 4D in Para. 0087, Zimmer discloses a process performed by web server 114 in receiving alert notifications from alert originators wishing to create a particular type of alert. In contrast, on the output side, enrollment of a subscriber on the web server 114 is described in Para. 0089 and in Fig., 4E. Once the alert originator or subscriber is enrolled in web service, the user specifies how the subscriber wishes to receive the message, e.g., telephone number etc. For the alert originator, *Zimmers* teaches it “determines the notification text that the user is permitted to create. In step 494 the user is prompted again, using the web based form, for a notification type. The provided notification type is then evaluated in step 496 to determine if it is a type allowed by the server for the user. If so, then in step 498, additional web based forms are used to prompt the user for relevant information for the notification, such as geographic information, heading and speed information or other information discussed above. In step 500, a data packet is generated (using the format of Table I) reflecting the indicated notification type and all provided information. In step 502 this packet is sent to the database query system 112.” *Id.*

With regard to the referenced Para. 0090, this relates to Fig. 4F, which is the database query system 112 process for parsing the various received data packets “in response to data packets from notification parsing system 106, web server 114 and IVR system 116.” *Id.* “When a packet is received (step 532), the packet is evaluated and *the type of notification it requests* is evaluated. Based upon the type of notification, different actions are performed as explained below with reference to FIGS. 5 through 11.” (emphasis added). As described the various *Zimmers* types of notifications include: Static area (Figs. 5A and 5B, and 534); Radius Process (Figs. 6A and 6B, 536); Vector Process (Figs. 7A and 7B, 538); Shoreline process (Figs. 8A and 8B, 540); River Process (Figs. 9A and 9B, 542); Wind Dispersion process (Figs. 10A and 10B, 544); and School/Organization Alert process (Fig. 11, 546). As noted in the bold, these are the subscription for the types of notifications for which the subscriber requests to receive. For each one of the types and subscribers, process 552 of Fig. 4F determines the type of station Id or identifier is determined which are disclosed in Zimmer as being either an email address, TCP/IP address, Internet accessible pager number, telephone number, and numeric pager number. *Id.*, Para 0091. These are all notification “pull” addresses of the subscribers based on their input in their subscriptions.

Contrary to the Office action assertions, these are not determinations of networks that provide message broadcasting service to at least a portion of the target area and is not a determination of the broadcast network based on a message type, but rather *Zimmers* discloses determining an address of each subscriber for sending an email or telephone call, or the like based on the subscribers previous subscription profile that includes a type of notification (which is completely different that as defined in the current Specification). As noted above with regard to new claims 21, 22, and 24, the Specification defines the recited term message type to include a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry. *See* Section 4.11 above.

Zimmer does not disclose a system or method that selects the network based on location or type of message or target area, but rather selects the subscribers based on their subscription and the type of message, and only then determines or identifies based on their subscription their station Id to which the message is to be delivered over any suitable network. There is no network selection taught by *Zimmers*. For this reason, the rejection to claims 16 and 18 should be withdrawn.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned.

Applicants hereby request a three-month extension to respond to the Office action, and have charged the below Deposit Account to pay the fee for that extension. Applicants believe that they do not owe any additional fee in connection with this filing. If, however, Applicants do owe any such fee, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 162201. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 162201.

Respectfully submitted,

Dated: February 2, 2015

s/David L. Howard/

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
ENIT 9834C3

In re Application of: ENVISIONIT LLC

Application No.: 13/887,940

Filed: May 6, 2013

For: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

The applicant, ENVISIONIT LLC, owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 7,752,259 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

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- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
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2.  The undersigned is an attorney or agent of record. Reg. No. 41502

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/David L. Howard/  
Signature

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January 30, 2015  
Date

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## Privacy Act Statement

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.





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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT</b>	Docket Number (Optional) ENIT 9834C3
In re Application of: ENVISIONIT LLC	
Application No.: 13/887,940	
Filed: May 6, 2013	
For: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD	
<p>The applicant, <u>ENVISIONIT LLC</u>, owner of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of <b>prior patent</b> No. <u>8,073,903</u> as the term of said <b>prior patent</b> is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the <b>prior patent</b> are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p>	
<p>In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the <b>prior patent</b>, "as the term of said <b>prior patent</b> is presently shortened by any terminal disclaimer," in the event that said <b>prior patent</b> later:</p> <ul style="list-style-type: none"> <li>expires for failure to pay a maintenance fee;</li> <li>is held unenforceable;</li> <li>is found invalid by a court of competent jurisdiction;</li> <li>is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;</li> <li>has all claims canceled by a reexamination certificate;</li> <li>is reissued; or</li> <li>is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</li> </ul>	
Check either box 1 or 2 below, if appropriate.	
1. <input type="checkbox"/> The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.	
I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.	
2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>41502</u>	
<u>/David L. Howard/</u> Signature	<u>January 30, 2015</u> Date
<u>David L. Howard</u> Typed or printed name	
<u>Attorney of Record</u> Title	<u>314-238-2400</u> Telephone Number
<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.	
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875			Application or Docket Number <b>13/887,940</b>	Filing Date <b>05/06/2013</b>	<input type="checkbox"/> To be Mailed
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO					
<b>APPLICATION AS FILED – PART I</b>					
(Column 1)		(Column 2)			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A		
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A		
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A		
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>	minus 20 =	*	X \$ =		
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		


<b>APPLICATION AS AMENDED – PART II</b>								
(Column 1)		(Column 2)		(Column 3)				
<b>AMENDMENT</b>	<b>02/02/2015</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 23	Minus	** 20	= 3	x \$40 =	120	
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	x \$210 =	0	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))							
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
						TOTAL ADD'L FEE	<b>120</b>	

(Column 1)		(Column 2)		(Column 3)				
<b>AMENDMENT</b>		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))							
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
						TOTAL ADD'L FEE		

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE  
 /SANDRA GARNETT/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**  
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<b>Application Number</b> 	<b>Application/Control No.</b> 13/887,940	<b>Applicant(s)/Patent under Reexamination</b> WOOD ET AL.	

<b>Document Code - DISQ</b>	<b>Internal Document – DO NOT MAIL</b>
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<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
Date Filed : 2/2/15	<b>This patent is subject to a Terminal Disclaimer</b>	

<b>Approved/Disapproved by:</b>
---------------------------------

3Tds all approved.  Lawana Hixon
--

U.S. Patent and Trademark Office



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/887,940	05/06/2013	Mark Andrew Wood	ENIT 9834C3	7639

1688 7590 04/15/2015  
Polster, Lieder, Woodruff & Lucchesi, L.C.  
12412 Powerscourt Dr. Suite 200  
St. Louis, MO 63131-3615

EXAMINER
----------

JOO, JOSHUA

ART UNIT	PAPER NUMBER
2445	

MAIL DATE	DELIVERY MODE
04/15/2015	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



<b>Office Action Summary</b>	<b>Application No.</b> 13/887,940	<b>Applicant(s)</b> WOOD ET AL.	
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445	<b>AIA (First Inventor to File) Status</b> No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 2 February 2015.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims\***

- 5)  Claim(s) 1-4 and 6-24 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) 17-19 and 21-23 is/are allowed.
- 7)  Claim(s) 1-4, 6-16, 20 and 24 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on 6 May 2013 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- a)  All    b)  Some\*\*    c)  None of the:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 4)  Other: \_\_\_\_\_.

***Detailed Action***

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

This Office action is in response to Applicant's amendment submitted on February 2, 2015.

Claims 1-4, 6-24 are pending in the application.

**Terminal Disclaimer**

The terminal disclaimers filed on February 2, 2015 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of prior patent No. 7,752,259, 8,073,903, and 8,438,221 have been reviewed and are accepted. The terminal disclaimers have been recorded.

**Response to Arguments/Remarks**

Double Patenting

Claims 1-20 were rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-4, 6, 8-18 of U.S. Patent No. 8,438,221. Claims 1, 3, 5-7, and 17 were rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-3, 5, and 15 of U.S. Patent No. 8,073,903. Claims 1 and 17 were rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,752,259. The double patenting rejections are withdrawn in view of the accepted Terminal Disclaimers.

Claim Objections

Regarding item 3.4 on p. 11 of the Remarks, Applicant submitted, "Claims 1 and 9 have been amended to include the continued recitation as "the determined two or more broadcast transmission systems." It is noted that claim 1 currently recites, "determining two or more of the broadcast message

transmission systems” and “the identified two or more broadcast transmission systems.” (emphasis noted)  
As such, the claim is objected to as the claim should read, “the determined two or more broadcast transmission systems.” The remaining objections set forth in the prior Office action have been withdrawn in view of amendments to the claims.

#### Claim Rejections - 35 USC § 112

Claims 1-20 were rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. The rejections have been withdrawn in view of amendments to the claims.

However, new grounds of rejections are presented based on the amendments. Notably, when the claim recites the terms “the broadcast target area,” “the broadcast message request,” and “the broadcast message” without the amended recitation “for each of the broadcast message request,” it is unclear as to which broadcast target area, broadcast message request, and broadcast message are being referred to by the terms. Furthermore, it is unclear whether steps and/or functions associated with the terms apply to each of the broadcast message request, broadcast message, and target area. For instance, claim 1 recites in part, “the broadcast message management system further determining two or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast message request, and transmitting the broadcast message and the broadcast target area to the identified two or more broadcast message transmission system systems.” It is unclear whether the determining and transmitting apply to each broadcast target area for each broadcast message request.

#### **Claim Objections**

Claims 1-4, 6-16, 20, and 24 are objected to because of the following informalities:

Regarding claim 1, the limitation “the identified two or more broadcast message transmission” should be changed to “the determined two or more broadcast message transmission.”

Regarding claim 20, the limitation “the identified broadcast message type” should be changed to “the determined broadcast message type.” Claim 20 depends on claim 19 which was amended to recite in part, “determining a broadcast message type” and “the determined broadcast message type.”

Appropriate correction is required.

#### Claim Rejections - 35 USC § 103

Claims 1-4, 10, 13-15, 17, 19-20 were rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Vella et al. US Publication No. 2004/0103158, in view of Allport, US Patent No. 6,480,578. The amendments to claims 1 and 17 to include the subject matter of allowable claim 5 have overcome the prior rejections. Accordingly, the prior rejections have been withdrawn.

#### **Claim Rejections - 35 USC § 112**

The following is a quotation of 35 U.S.C. 112(b):

(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

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.

Claims 1-4, 6-16, 20, and 24 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

Regarding claim 1, the claim recites the step, “the broadcast message management system further determining two or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast message request, and transmitting the broadcast message and the

broadcast target area to the identified two or more broadcast message transmission system systems.” In the step, it is unclear as to which broadcast target area, broadcast message request, and broadcast message are being referred to in “the broadcast target area,” “the broadcast message request,” and “the broadcast message” as the claim recites receiving more than one broadcast message request, i.e. “receiving broadcast message requests” with each broadcast message request including the geographically defined broadcast target area and a broadcast message. It is unclear if the broadcast message management system determines two or more of the broadcast message transmission system for each broadcast message request and broadcast target area.

Regarding claim 3, it is unclear as to which broadcast target area and broadcast message request are being referred to by “the broadcast target area” and “the broadcast message request.”

Regarding claim 4, it is unclear as to which broadcast target area is being referred to by “the broadcast target area.”

Regarding claim 7, there is insufficient antecedent basis for “the wireless transmission devices,” “the particular wireless transmission devices,” and “the identified network addresses.” Claim 8 contains terms similar to claim 7 and is rejected for the same reason as claim 7.

Regarding claim 7, it is unclear as to which broadcast target area is being referred to by “the broadcast target area.”

Regarding claim 9, it is unclear as to which broadcast message request, broadcast message, and broadcast target area are being referred to by “the broadcast message request,” “the broadcast message,” and “the broadcast target area.”

Regarding claim 10, it is unclear as to which broadcast message request is being referred to by “the broadcast message request.” Claim 11 is rejected for the same reason as claim 10.

Regarding claim 12, it is unclear as to which broadcast message request and broadcast message are being referred to by “the broadcast message request” and “the broadcast message.”

Regarding claim 13, it is unclear as to which broadcast message is being referred to by “the broadcast message.”

Regarding claim 14, it is unclear as to which broadcast message request is being referred to by “the broadcast message request.”

Regarding claim 15, it is unclear as to which broadcast message transmission system is being referred to by “the broadcast message transmission system” as claim 1 recites, “one or more of a plurality of broadcast message transmissions systems” and “determining two or more of the broadcast message transmission systems.”

Regarding claim 16, it is unclear as to which broadcast target area is being referred to by “the broadcast target area.”

Regarding claim 20, there is insufficient antecedent basis for “the identified broadcast message type.”

Regarding claim 20, there is insufficient antecedent basis for “the verified broadcast message.” Claim 17 recites “verified broadcast message request” but not specifically “verified broadcast message.” Furthermore, it is unclear as to which verified broadcast message is being referred to by the term. Claim 17 recites receiving a plurality of broadcast message requests, each broadcast message request including a broadcast message, and for each broadcast message request, verifying..., which would indicate that there may be more than one verified broadcast message request including a broadcast message.

Regarding claim 24, there is insufficient antecedent basis for term “the message type identifier.” It is noted that claim 24 depends on claim 10 which recites in part, “a broadcast message type identifying the type of message” and claim 9, which claim 10 does not depend on, explicitly recites, “a message type identifier.”



#### **Allowable Subject Matter**

Claims 1-4, 6-16, and 24 would be allowable if rewritten or amended to overcome the objection(s) and rejection(s) under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), 2nd paragraph, set forth in this Office action.

Claims 17-19, 21-23 are allowed.

Claims 20 would be allowable if rewritten or amended to overcome the objection and rejection under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), 2nd paragraph, set forth in this Office action.

#### **Conclusion**

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7:30AM to 3:00PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Oscar Louie can be reached on 571 270-1684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 2445

Page 8

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Joshua Joo/  
Primary Examiner, Art Unit 2445

<b><i>Index of Claims</i></b> 	<b>Application/Control No.</b> 13887940	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	07/25/2014	04/13/2015						
	1	✓	✓						
	2	✓	✓						
	3	✓	✓						
	4	✓	✓						
	5	✓	-						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
	9	✓	✓						
	10	✓	✓						
	11	✓	✓						
	12	✓	✓						
	13	✓	✓						
	14	✓	✓						
	15	✓	✓						
	16	✓	✓						
	17	✓	=						
	18	✓	=						
	19	✓	=						
	20	✓	✓						
	21		=						
	22		=						
	23		=						
	24		✓						

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	26	ENVISIONIT.as.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:46
L2	29	WEISER near2 DOUGLAS.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:46
L3	45	PRESTON near2 KEVIN.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:46
L4	328	WOOD near2 MARK.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:46
L5	192	(authoriz\$3 authorization authority privilege\$1 authenticat\$4 right\$1 permission\$1 permit\$4) near10 (send\$3 transmit\$4) near10 broadcast\$3 near10 (area region location)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:46
L6	97	(authoriz\$3 authorization authority) near10 (send\$3 transmit\$4) near10 (message\$1 alert\$1 alarm\$1) near10 area and broadcast\$3	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:46
L7	1098	broadcast\$3 near10 (alert\$3 alarm\$3 emergenc\$3) near10 (area region location) same (user\$1 device\$1 recipient\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:50
L8	8044	H04W4/00,22.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:50
L9	174	L7 and L8	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:50
L10	17016	H04W4/02-04.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:53
L11	192	L7 and L10	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 13:53
L12	18287	H04L67/18-26.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:00

EAST Search History


L13	100	L7 and L12	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:00
L14	39	(authoriz\$3 authorization permission\$1 authority) near10 broadcast\$3 same jurisdiction	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:05
L15	1229	H04L12/1895.cpc. H04L51/20.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:06
L16	1098	broadcast\$3 near10 (alert\$3 alarm\$3 emergenc\$3) near10 (area region location) same (user\$1 device\$1 recipient\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:06
L17	81	L15 and L16	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:06
L18	346	(authoriz\$3 authorization permission\$1) near10 broadcast\$3 near10 (area\$1 region\$1 location\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:07
L19	70	authority near10 broadcast\$3 near10 (area region location)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:17
L20	171	authority near10 (broadcast\$3 transmit\$4 send\$3) near10 (notification\$1 alarm\$1 alert\$1 message\$1) near10 (area region location)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:17
L21	3338	broadcast\$3 near10 message\$1 near10 (area region location) same (user\$1 device\$1 recipient\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:18
L22	102	L15 and L21	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:18
L24	653	broadcast\$3 near10 (alert\$3 alarm\$3 emergenc\$3) near10 (area region) same (user\$1 device\$1 recipient\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:20
L25	165	H04L\$.cpc. and L24	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:20
L26	270	H04W\$.cpc. and L24	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:20
L27	128	G06F\$.cpc. and L24	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/04/13 14:20

4/13/2015 2:22:57 PM

C:\Users\jjoo\Documents\EAST\Workspaces\13887940b.wsp





<b>Search Notes</b>  	<b>Application/Control No.</b>  13887940	<b>Applicant(s)/Patent Under Reexamination</b>  WOOD ET AL.
	<b>Examiner</b>  JOSHUA JOO	<b>Art Unit</b>  2445

CPC- SEARCHED		
Symbol	Date	Examiner
H04W 4/00,22 (limited)	4/13/2015	/JJ/
H04W 4/02-04 (limited)	4/13/2015	/JJ/
H04L 67/18-26 (limited)	4/13/2015	/JJ/
H04L 12/1895, 51/20 (limited)	4/13/2015	/JJ/

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
Sear			

SEARCH NOTES		
Search Notes	Date	Examiner
Searched in EAST. See attached search history.	7/28/2014	/JJ/
Inventor search in PALM and EAST.	4/13/2015	/JJ/
Assignee search in EAST.	4/13/2015	/JJ/
Updated search in EAST. See attached search history.	4/13/2015	/JJ/

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

	/J.J./ Primary Examiner.Art Unit 2445
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<b>Notice of References Cited</b>	Application/Control No. 13/887,940	Applicant(s)/Patent Under Reexamination WOOD ET AL.	
	Examiner JOSHUA JOO	Art Unit 2445	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2004/0264461	12-2004	Janneteau et al.	370/390
*	B US-2009/0131088	05-2009	Kirchmeier et al.	455/466
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

**FOREIGN PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

**NON-PATENT DOCUMENTS**

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
V	
W	
X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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

Applicant: Envision IT LLC :  
Serial No: 13/887,940 : Art Unit: 2445  
Filed: May 6, 2013 : Examiner: Joo, Joshua  
For: Broadcast Alerting Message : Attorney Docket No: ENIT 9834C3  
Aggregator/Gateway System and  
Method

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT B**  
**RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed April 15, 2015, please amend the application as follows and consider the remarks set forth below.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	22637090
<b>Application Number:</b>	13887940
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7639
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood
<b>Customer Number:</b>	1688
<b>Filer:</b>	David L. Howard
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	ENIT 9834C3
<b>Receipt Date:</b>	15-JUN-2015
<b>Filing Date:</b>	06-MAY-2013
<b>Time Stamp:</b>	18:17:07
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		ENIT_9834C3_Am_B_-_RTOA_4-15-15.pdf	66142 <small>1b687a8debfb845ea052244a4626500bdef5dad</small>	yes	14

<b>Multipart Description/PDF files in .zip description</b>		
<b>Document Description</b>	<b>Start</b>	<b>End</b>
Response After Final Action	1	1
Claims	2	8
Applicant Arguments/Remarks Made in an Amendment	9	14

**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>	66142
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application.

### LISTING OF CLAIMS

1. (Currently amended) A message broadcast system for collecting broadcast messages from a plurality of broadcast message originators and providing a broadcast message to one or more of a plurality of broadcast message transmission systems for broadcasting to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:

a broadcast message management system communicatively coupled for receiving broadcast message requests from a plurality of coupled broadcast agent message origination systems, the broadcast message management system storing a broadcast message jurisdiction authority for each broadcast agent of each coupled broadcast agent message origination system, each broadcast message request being from a different originating broadcast agent associated with one of the coupled broadcast agent message origination systems, each broadcast message request including a broadcast agent identification uniquely identifying the broadcast agent originating the broadcast message request, the geographically defined broadcast target area, and a broadcast message, for each received broadcast message request of the broadcast message management system, verifying the broadcast message request to provide a verified broadcast message, the verifying being [[as]] a function of the broadcast agent identification of the broadcast message request, and an authority of the originating broadcast agent to send the broadcast message of the broadcast message request to the broadcast target area of the broadcast message request, the verifying ensuring the stored broadcast message jurisdiction of the originating broadcast agent includes the broadcast target area of [[the]] each broadcast message request,

for each verified broadcast message request the broadcast message management system further determining two or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast message request, and transmitting the



broadcast message and the broadcast target area of the verified broadcast message request to the ~~identified~~ determined two or more broadcast message transmission systems.

2. (Currently amended) The system of claim 1 wherein the determined two or more message broadcast message transmission systems are selected from the group consisting of a wireless mobile carrier network; a wireless Wi-Fi network; a digital private radio systems operator network; a private radio system network; an internet provider; an internet service provider network providing an internet service including a website and a website content provider providing text, graphical data, image and mapping content service via a website; a wireline telecommunication network; a satellite network; a CATV network; a radio system; and a television system.

3. (Currently amended) The system of claim 1 wherein the broadcast message management system includes a distributor that performs for each verified broadcast message request the determining of the two or more determined broadcast message transmission systems as a function of determining that each of the determined two or more broadcast message transmission systems provides broadcast messaging service to at least a portion of the broadcast target area of the broadcast message request.

4. (Currently amended) The system of claim 1 wherein the broadcast message management system includes an output interface for coupling to one of the determined two or more broadcast message transmission systems providing message broadcasting service to at least a portion of the broadcast target area for each verified broadcast message request to which the determined two or more broadcast message transmission systems are determined.

5. (Cancelled)

6. (Currently amended) The system of claim 1 wherein for each verified broadcast message request the determined two or more broadcast message transmission systems includes at least one determined wireless ~~mobile carrier~~ network providing wireless transmission to one or more wireless transmission devices serving the broadcast target area, and wherein the broadcast

message management system transmits to a carrier broadcast center of the wireless ~~mobile carrier network~~.

7. (Currently amended) The system of claim 6 wherein for each verified broadcast message request the at least one determined wireless network is a determined mobile carrier network and wherein the wireless transmission devices serving the broadcast target area and the particular wireless transmission devices of the determined mobile carrier network are wireless cellular network transmitters and each of the wireless cellular network transmitters of the determined mobile carrier network has a cell id network address ~~and the identified network addresses are cell id network addresses~~.

8. (Currently amended) The system of claim 6 wherein for each verified broadcast message request the at least one determined wireless network is a determined wireless Wi-Fi network and wherein the wireless transmission devices serving the broadcast target area and the particular wireless transmission devices are Wi-Fi network transmitters, each of the Wi-Fi network transmitters of the determined wireless Wi-Fi network having a Wi-Fi id network address, ~~wherein the identified network addresses are Wi-Fi id network addresses~~.

9. (Currently amended) The system of claim 1 wherein ~~[[the]]~~ at least one received broadcast message request includes a message type identifier, and wherein for each verified broadcast message request having the message type identifier the broadcast message management system transmits the broadcast message and the broadcast target area responsive to the message type identifier being an acceptable message type for each of the determined two or more broadcast message transmission systems.

10. (Currently amended) The system of claim 1 wherein the broadcast message management system receives ~~[[the]]~~ each broadcast message request and for each received broadcast message request determines a broadcast message type identifying the type of message of the broadcast message request from the broadcast agent identification of the broadcast message request and wherein for each verified broadcast message request the identified

determined broadcast message type is transmitted to the determined two or more broadcast message transmission systems.

11. (Currently amended) The system of claim 1 wherein [[the]] at least one of the received broadcast message [[request]] requests includes a broadcast message that is a broadcast messaging system administrative message selected from the group consisting of: message recall, language identifier, network selector, and request for message progress status.

12. (Currently amended) The system of claim 1 wherein for at least one of the received broadcast message requests, the broadcast message of the broadcast message request is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast message request includes a second broadcast message in a second language, and wherein the transmitting by the broadcast message management system of the at least one received broadcast message having the first language and second language includes transmitting the broadcast message including at least one of the first broadcast message in the first language and the second broadcast message in the second language.

13. (Currently amended) The system of claim 1 wherein for at least one of the received broadcast message requests, the broadcast message is a multimedia message.

14. (Original) The system of claim 13 wherein the multimedia message includes at least one of a photograph and a map.

15. (Currently amended) The system of claim 1 wherein [[the]] at least one received broadcast message request includes a message type identifier, and wherein for each of the at least one received broadcast message request including the message type identifier the broadcast message management system transmits a message type to at least one of the determined two or more [[the]] broadcast message transmission system systems responsive to the message type identifier.

16. (Currently amended) The system of claim 15 wherein the broadcast message management system is coupled to a plurality of broadcast message transmission systems, and wherein for each verified broadcast message request the determining includes selecting of at least one of the determined two or more broadcast message transmission systems from among the plurality of coupled broadcast message transmission systems ~~[[is]]~~ responsive to the message type and the broadcast target area of the verified broadcast message request.

17. (Currently amended) A method of collecting broadcast messages from a plurality of broadcast message originators and providing a broadcast message to two or more of a plurality of broadcast message transmission systems for broadcasting to a plurality of user devices located within a geographically defined broadcast target area, the method comprising:

receiving over an input interface a plurality of broadcast message requests, each broadcast message request including a broadcast agent identification uniquely identifying the broadcast agent originating the broadcast message request, a geographically defined broadcast target area, and a broadcast message from one of a plurality of coupled broadcast agent message origination systems;

storing a broadcast message jurisdiction authority for each broadcast message originator; for each broadcast message request, verifying an authority of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area, the verifying ensuring the stored broadcast message jurisdiction of the originating broadcast originator includes the broadcast target area of the broadcast message request, the verifying resulting in a verified broadcast message request; and

for each verified broadcast message request, determining two or more broadcast transmission systems providing broadcast messaging service to at least a portion of the broadcast target area and transmitting the broadcast message of each verified broadcast message request over an output interface to the determined two or more ~~coupled~~ broadcast message transmission systems.

18. (Previously presented) The method of claim 17 wherein each broadcast message request includes a message type, further comprising:

for each broadcast message request, wherein determining each of the two or more broadcast message transmission systems from among the plurality of coupled broadcast message transmission systems is responsive to the message type and the broadcast target area, each as defined in the broadcast message request.

19. (Previously presented) The method of claim 17, further comprising for each broadcast message request, determining a broadcast message type from the broadcast agent identification of the broadcast message request and wherein transmitting includes transmitting the determined broadcast message type to the two or more coupled broadcast message transmission systems with the broadcast message and the broadcast target area of the broadcast message request.

20. (Currently amended) The method of claim 19 wherein the transmitting of the ~~identified~~ determined broadcast message type is responsive to the ~~identified~~ determined broadcast message type being an acceptable message type for the determined two or more broadcast message transmission systems to which the ~~verified~~ broadcast message of each verified broadcast message request is transmitted.

21. (Previously presented) The method of claim 18 wherein the message type is selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry.

22. (Previously presented) The method of claim 19 wherein the message type is selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry.

23. (Previously presented) The system of claim 17 wherein the determining and the transmitting includes two or more message broadcast message transmission systems selected from the group consisting of a wireless mobile carrier network; a wireless Wi-Fi network; a digital private radio systems operator network; a private radio system network; an internet provider; an internet service provider network including an internet service provider providing a

website and a website content provider providing text, graphical data, image and mapping content service via a website; a wireline telecommunication network; a satellite network; a CATV network; a radio system; and a television system.

24. (Currently amended) The method of claim 10 wherein the determined message type ~~identifier~~ is representative of a message type selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry.

## **REMARKS**

Claims 1-4, and 6-24 are now pending in the application.

Claim 1-4, 6-13, 15-17 have been amended by this Amendment B.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein and place claims 1-4, 6-24 in allowance.

### **1. ALLOWABLE SUBJECT MATTER & RESPONSE THERETO**

As an initial matter, the Applicant recognizes and appreciates the Office finding that claims 17-19 and 21-23 are allowable with no rejections or objections being identified.

Applicant notes that it has amended allowable claim 17 to remove a recitation to "coupled" for consistency with the other claims.

Further, the Office finds that claims 1-4, 6-16, 20 and 24 are allowable if amended to overcome various identified objections and 112 rejections.

In response, the Applicant has submitted with the present Amendment B with amendments to the claims to address each of the objections and 112 rejections as identified in the Office action.

As such, the Applicants believe the presently presented claims 1-4 and 6-24 of this Amendment B to be in compliance with the requirements identified in the Office action for allowance.

### **2. OBJECTIONS TO THE CLAIMS**

Claims 1-4, 6-16, 20 and 24 stand objected to due to several informalities identified by the Office. Each will be addressed in order as in the Office action with summarized cross reference thereto, but a few general statements and explanations are provided that apply to numerous objections, rejections and the amendments provided herein.

2.A. determined broadcast transmission systems - the Applicant has reviewed each of these recitations and has herein addressed through amendments the consistency of this recitation for those identified in the Office action, but others as well. These include claims 1, 2, 3, 15, and 16.

2.B. clarification of each broadcast request and the handling of each of a plurality of separate broadcast request each of which has its own broadcast message and broadcast target area - As



identified in numerous objections and rejections, the broadcast management system receives numerous broadcast message requests, each of which has its own broadcast message to be sent to its own broadcast target area. While the broadcast management system receives a plurality of these broadcast message requests, it is clear from the specification and from the claims generally that each broadcast message request with its own broadcast message and broadcast target area are independently and separately processed by the broadcast management system based on the recited processes for each of the claims. Each dependent claim further processes each broadcast message and each broadcast target area for each associated broadcast message request processed. Applicant believes that any one of ordinary skill in the art will easily understand this. However, in an effort to expeditiously address the issue in this regard as raised in the Office action, the Applicant has amended the claims to recite in the applicable instances the process steps that are on a per broadcast message request basis for each broadcast message and each broadcast target area associated therewith. Claims amended in this regard include: Claims 1, 3, 4, 6, 7, 8, 9, 10, 15, 16 and 20. These include, similar to claim 17 and as suggested in the Office action on page 3, the recitation to "for each of the broadcast message requests" or similar wording as may be appropriate to the recited term.

2.1 Claim 1 and 9 - Objection regarding "identified two or more" versus "determined two or more". As noted in 2.A, claim 1 and other claims have been amended to provide a consistent recitation in this regard.

2.2 Claim 20 - has been amended to replace "identified" with "determined" for the broadcast message type.

The Applicants believe that these corrections through amendments to the claims have addressed each of the Objections to the claim wording as identified in the Office action and such amendments have not added any new matter. As such, the Applicant requests the Objections be withdrawn.

### **3. REJECTIONS UNDER 35 U.S.C. § 112**

Claims 1-20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention.

3.1 Claim 1 - Claim 1 has been amended to recite "for each verified broadcast message request" the determining of the two or more broadcast message transmission systems. Further, claim 1 has been amended that for each broadcast message request that is verified, the verifying provides a verified broadcast message request. This is different than the received broadcast message request, which is received but that has not been verified. Of course, as noted in 2.B above, for each subsequent recitation, since each broadcast message request has its own broadcast message and broadcast target area, the further recitation of each broadcast message request is understood to having such.

3.2 Claim 4 - Claim 4 has been similarly amended to recite "the broadcast target area for each verified broadcast message request to which the determined two or more broadcast message transmission systems are determined."

3.3 Claims 6, 7 and 8 - Claim 6 has been amended similar to 2.B above. Further claim 6 has been amended to recite that the determined two or more broadcast message transmission systems includes at least one determined (the same determining of claim 1) but that is a wireless with wireless transmission to one or more wireless transmission devices serving the broadcast target area (for each broadcast message request as previously recited). Claim 6 has been amended to remove the recitation to "mobile carrier" to broaden claim 6 for easier dependency recitations of claims 7 and 8.

Claims 7 and 8 have each been amended to depend from amended claim 6 with claim 7 reciting to a mobile carrier network and claim 8 reciting to a wireless Wi-Fi network. Each of these being "for each verified broadcast message request" of which it is known each has a broadcast message and a broadcast target area of its own.

3.4 Claim 9 - Claim 9 has been amended to recite that "at least one received broadcast message request" from among the plurality and "for each verified broadcast message having the

message type identifier" refers back thereto. As such, it is clear that the subsequent recitations as to the broadcast message and broadcast target are those of each verified broadcast message request having the message type identifier.

3.5 Claim 10 - Consistent with 2.B above, claim 10 has been amended to recite to "for each broadcast message request" that is either received or verified or for which a broadcast message type is determined.

3.6 Claim 11 - Claim 11 has been amended to recite that at least one of the received broadcast message requests includes a broadcast message as further recited.

3.7 Claim 12 - Consistent with 2.B above, claim 12 has been amended to recite its process is "for at least one of the received broadcast message requests" and that the transmitting is "of the at least one received broadcast message having the first language and second language.

3.8 Claims 13 and 14 - Claim 13 has been amended to recite that at least one of the received broadcast message requests includes a broadcast message as further recited. Claim 14 depends from claim 13 and no further amendment is required to claim 14.

3.9 Claim 15 - Claim 15 has been amended to recite that at least one received broadcast message request includes a message type identifier, and wherein for each of the at least one received broadcast message request including the message type identifier. Further claim 15 has been amended to recite to the "at least one of the determined two or more broadcast message transmission systems" as identified above in 2.A.

3.10 Claim 16 - Claim 16 has been amended pursuant to 2.A and 2.B above.

3.11 Claim 20 - Claim 20 has been amended to recite to the determined broadcast message type rather than the "identified." Further claim 20 has been amended consistent with 2.B above as to reciting that each broadcast message is "of each verified broadcast message request"

3.12 Claim 24 - Claim 24 has been amended to delete the word "identifier" but to recite "message type" as recited in claim 10 from which claim 24 depends and to further recite that it is the "determined message type."

The Applicant does not believe that any new matter has been added with the amendments made to clarify the recitations in response to the 112 issues identified in the Office action. The Applicants believe that they have fully addressed the 112(2) issues and as such these rejections withdrawn.

#### **4. NO DISCLAIMERS OR DISAVOWALS**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application.

Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution.

Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned.

Applicants do not believe that they owe any additional fee in connection with this filing. If, however, Applicants do owe any such fee, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 162201. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 162201.

Respectfully submitted,

Dated: June 15, 2015

s/David L. Howard/

DAVID L. HOWARD; Reg. No. 41,502  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875			Application or Docket Number <b>13/887,940</b>	Filing Date <b>05/06/2013</b>	<input type="checkbox"/> To be Mailed
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO					
<b>APPLICATION AS FILED – PART I</b>					
(Column 1)		(Column 2)			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A		
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A		
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A		
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>	minus 20 =	*	X \$ =		
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		

<b>APPLICATION AS AMENDED – PART II</b>								
(Column 1)		(Column 2)		(Column 3)				
<b>AMENDMENT</b>	<b>06/15/2015</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 23	Minus	** 23	= 0	X \$40 =	0	
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	X \$210 =	0	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))							
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
TOTAL ADD'L FEE						<b>0</b>		

(Column 1)		(Column 2)		(Column 3)				
<b>AMENDMENT</b>		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))							
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
TOTAL ADD'L FEE								
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.						LIE		
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".						/NICOLE NICHOLSON/		
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".								
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.								

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**  
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





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NOTICE OF ALLOWANCE AND FEE(S) DUE

1688 7590 06/25/2015
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Dr. Suite 200
St. Louis, MO 63131-3615

EXAMINER

JOO, JOSHUA

ART UNIT PAPER NUMBER

2445

DATE MAILED: 06/25/2015

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

13/887,940 05/06/2013 Mark Andrew Wood ENIT 9834C3 7639

TITLE OF INVENTION: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

nonprovisional SMALL \$480 \$0 \$0 \$480 09/25/2015

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

1688 7590 06/25/2015  
 Polster, Lieder, Woodruff & Lucchesi, L.C.  
 12412 Powerscourt Dr. Suite 200  
 St. Louis, MO 63131-3615

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)
_____ (Signature)
_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/887,940	05/06/2013	Mark Andrew Wood	ENIT 9834C3	7639

TITLE OF INVENTION: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	09/25/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
JOO, JOSHUA	2445	709-203000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) The names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1</p> <p>(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2</p> <p>_____ 3</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_

(B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____	Date _____
Typed or printed name _____	Registration No. _____



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1688 7590 06/25/2015
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Dr. Suite 200
St. Louis, MO 63131-3615

EXAMINER

JOO, JOSHUA

ART UNIT PAPER NUMBER

2445

DATE MAILED: 06/25/2015

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>Notice of Allowability</b>	<b>Application No.</b> 13/887,940	<b>Applicant(s)</b> WOOD ET AL.	
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445	<b>AIA (First Inventor to File) Status</b> No

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Applicant's amendment submitted on 15 June 2015.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2.  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
3.  The allowed claim(s) is/are 1-4 and 6-24. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- a)  All    b)  Some    \*c)  None of the:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 7. <input type="checkbox"/> Other _____.   |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____.                     |  |

/JOSHUA JOO/  
Primary Examiner, Art Unit 2445

*Notice of Allowability*

Claims 1-4, 6-24 are allowed.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Attorney David Howard, Reg. No. 41,502 on June 22, 2015.

The application is amended as follows:



The following listing of claims will replace all prior versions and listing in the application.

IN THE CLAIMS:

1. (Currently Amended) A message broadcast system for collecting broadcast messages from a plurality of broadcast message originators and providing a broadcast message to one or more of a plurality of broadcast message transmission systems for broadcasting to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:

a broadcast message management system communicatively coupled for receiving broadcast message requests from a plurality of coupled broadcast agent message origination systems, the broadcast message management system storing a broadcast message jurisdiction authority for each broadcast agent of each coupled broadcast agent message origination system, each broadcast message request being from a different originating broadcast agent associated with one of the coupled broadcast agent message origination systems, each broadcast message request including a broadcast agent identification uniquely identifying the broadcast agent originating the broadcast message request, the geographically defined broadcast target area, and a broadcast message, for each received broadcast message request of the broadcast message management system, verifying the broadcast message request to provide a verified broadcast message, the verifying being a function of the broadcast agent identification of the broadcast message request, and an authority of the originating broadcast agent to send the broadcast message of the broadcast message request to the broadcast target area of the broadcast message request, the verifying ensuring the stored broadcast message jurisdiction of the originating broadcast agent includes the broadcast target area of each broadcast message request,

for each verified broadcast message ~~request request~~, the broadcast message management system further determining two or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast message request, and transmitting the broadcast message and the broadcast target area of the verified broadcast message request to the determined two or more broadcast message transmission systems.

2. (Previously Presented) The system of claim 1 wherein the determined two or more message broadcast message transmission systems are selected from the group consisting of a wireless mobile carrier network; a wireless Wi-Fi network; a digital private radio systems operator network; a private radio system network; an internet provider; an internet service provider network providing an internet service including a website and a website content provider providing text, graphical data, image and

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mapping content service via a website; a wireline telecommunication network; a satellite network; a CATV network; a radio system; and a television system.

3. (Currently Amended) The system of claim 1 wherein the broadcast message management system includes a distributor that performs for each verified broadcast message ~~request~~ request, the determining of the two or more determined broadcast message transmission systems as a function of determining that each of the determined two or more broadcast message transmission systems provides broadcast messaging service to at least a portion of the broadcast target area of the broadcast message request.

4. (Previously Presented) The system of claim 1 wherein the broadcast message management system includes an output interface for coupling to one of the determined two or more broadcast message transmission systems providing message broadcasting service to at least a portion of the broadcast target area for each verified broadcast message request to which the determined two or more broadcast message transmission systems are determined.

5. (Cancelled)

6. (Currently Amended) The system of claim 1 wherein for each verified broadcast message ~~request~~ request, the determined two or more broadcast message transmission systems includes at least one determined wireless network providing wireless transmission to one or more wireless transmission devices serving the broadcast target area, and wherein the broadcast message management system transmits to a carrier broadcast center of the wireless network.

7. (Currently Amended) The system of claim 6 wherein for each verified broadcast message ~~request~~ request, the at least one determined wireless network is a determined mobile carrier network and wherein the wireless transmission devices of the determined mobile carrier network are wireless cellular network transmitters and each of the wireless cellular network transmitters of the determined mobile carrier network has a cell id network address.

8. (Currently Amended) The system of claim 6 wherein for each verified broadcast message ~~request~~ request, the at least one determined wireless network is a determined wireless Wi-Fi network and



wherein the wireless transmission devices are Wi-Fi network transmitters, each of the Wi-Fi network transmitters of the determined wireless Wi-Fi network having a Wi-Fi id network address.

9. (Currently Amended) The system of claim 1 wherein at least one received broadcast message request includes a message type identifier, and wherein for each verified broadcast message request having the message type ~~identifier~~ identifier, the broadcast message management system transmits the broadcast message and the broadcast target area responsive to the message type identifier being an acceptable message type for each of the determined two or more broadcast message transmission systems.

10. (Currently Amended) The system of claim 1 wherein the broadcast message management system receives each broadcast message request and for each received broadcast message ~~request~~ request, determines a broadcast message type identifying the type of message of the broadcast message request from the broadcast agent identification of the broadcast message request and wherein for each verified broadcast message request the determined broadcast message type is transmitted to the determined two or more broadcast message transmission systems.

11. (Previously Presented) The system of claim 1 wherein at least one of the received broadcast message requests includes a broadcast message that is a broadcast messaging system administrative message selected from the group consisting of: message recall, language identifier, network selector, and request for message progress status.

12. (Previously Presented) The system of claim 1 wherein for at least one of the received broadcast message requests, the broadcast message of the broadcast message request is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast message request includes a second broadcast message in a second language, and wherein the transmitting by the broadcast message management system of the at least one received broadcast message having the first language and second language includes transmitting the broadcast message including at least one of the first broadcast message in the first language and the second broadcast message in the second language.

13. (Previously Presented) The system of claim 1 wherein for at least one of the received broadcast message requests, the broadcast message is a multimedia message.

14. (Original) The system of claim 13 wherein the multimedia message includes at least one of a photograph and a map.

15. (Currently Amended) The system of claim 1 wherein at least one received broadcast message request includes a message type identifier, and wherein for each of the at least one received broadcast message request including the message type ~~identifier~~ identifier, the broadcast message management system transmits a message type to at least one of the determined two or more broadcast message transmission systems responsive to the message type identifier.

16. (Currently Amended) The system of claim 15 wherein the broadcast message management system is coupled to a plurality of broadcast message transmission systems, and wherein for each verified broadcast message ~~request~~ request, the determining includes selecting of at least one of the determined two or more broadcast message transmission systems from among the plurality of coupled broadcast message transmission systems responsive to the message type and the broadcast target area of the verified broadcast message request.

17. (Previously Presented) A method of collecting broadcast messages from a plurality of broadcast message originators and providing a broadcast message to two or more of a plurality of broadcast message transmission systems for broadcasting to a plurality of user devices located within a geographically defined broadcast target area, the method comprising:

receiving over an input interface a plurality of broadcast message requests, each broadcast message request including a broadcast agent identification uniquely identifying the broadcast agent originating the broadcast message request, a geographically defined broadcast target area, and a broadcast message from one of a plurality of coupled broadcast agent message origination systems;

storing a broadcast message jurisdiction authority for each broadcast message originator;

for each broadcast message request, verifying an authority of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area, the verifying ensuring the stored broadcast message jurisdiction of the originating broadcast originator includes the broadcast target area of the broadcast message request, the verifying resulting in a verified broadcast message request; and

for each verified broadcast message request, determining two or more broadcast transmission systems providing broadcast messaging service to at least a portion of the broadcast target area and

transmitting the broadcast message of each verified broadcast message request over an output interface to the determined two or more broadcast message transmission systems.

18. (Previously presented) The method of claim 17 wherein each broadcast message request includes a message type, further comprising:

for each broadcast message request, wherein determining each of the two or more broadcast message transmission systems from among the plurality of coupled broadcast message transmission systems is responsive to the message type and the broadcast target area, each as defined in the broadcast message request.

19. (Previously presented) The method of claim 17, further comprising for each broadcast message request, determining a broadcast message type from the broadcast agent identification of the broadcast message request and wherein transmitting includes transmitting the determined broadcast message type to the two or more coupled broadcast message transmission systems with the broadcast message and the broadcast target area of the broadcast message request.

20. (Previously Presented) The method of claim 19 wherein the transmitting of the determined broadcast message type is responsive to the determined broadcast message type being an acceptable message type for the determined two or more broadcast message transmission systems to which the broadcast message of each verified broadcast message request is transmitted.

21. (Previously Presented) The method of claim 18 wherein the message type is selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry.

22. (Previously Presented) The method of claim 19 wherein the message type is selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry.

23. (Currently Amended) The ~~system~~ method of claim 17 wherein the determining and the transmitting includes two or more message broadcast message transmission systems selected from the group consisting of a wireless mobile carrier network; a wireless Wi-Fi network; a digital private radio

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systems operator network; a private radio system network; an internet provider; an internet service provider network including an internet service provider providing a website and a website content provider providing text, graphical data, image and mapping content service via a website; a wireline telecommunication network; a satellite network; a CATV network; a radio system; and a television system.

24. (Currently Amended) The ~~method~~ system of claim 10 wherein the determined message type is representative of a message type selected from the group consisting of a language, a governmental entity, a governmental authority defined message type, an originating organization, and an industry.

### Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Vella et al. US Publication No. 2004/0103158 teaches a broadcast message management system communicatively coupled for receiving broadcast message requests from a plurality of coupled broadcast agent message origination systems, each broadcast request being from a different originating broadcast agent associated one of the coupled broadcast agent message origination systems (para. [0021] Agencies to send alert messages. para. [0071] Alerting agencies.), the broadcast request including a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message, the system receiving the plurality of broadcast message requests (para. [0049][0051] Receive location and inputted text for alert message. para. [0055][0056] Select location and provide identification.), verifying an authority of the originating broadcast agent (para. [0056] Verify alert originator's authority.),

the broadcast message management system further identifying one or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast request, and transmitting the broadcast message and the broadcast target area to the identified broadcast message transmission system (para. [0079] Sends formatted messages to public network. para. [0080] Send message to SMS server 355/357 of cellular carriers.).

Allport, US Patent No. 6,480,578 teaches verifying a broadcast request as a function of a broadcast agent identification and an authority of an originating broadcast agent to send the broadcast message to the broadcast target area (col. 12, line 66-col. 13, line 1. Types of signal that can be sent. col. 13, lines 17-22. Communicate regions to be sent a coded signal and specific signal type to be sent to each region. col. 14, lines 45-49. Validate that the sender has the authority to issue such signals.).

Prior art of record does not teach in whole the invention of claim 1 including the limitations:

a broadcast message management system communicatively coupled for receiving broadcast message requests from a plurality of coupled broadcast agent message origination systems, the broadcast message management system storing a broadcast message jurisdiction authority for each broadcast agent of each coupled broadcast agent message origination system, each broadcast message request being from a different originating broadcast agent associated with one of the coupled broadcast agent message origination systems, each broadcast message request including a broadcast agent identification uniquely identifying the broadcast agent originating the broadcast message request, the geographically defined broadcast target area, and a broadcast message, for each received broadcast message request of the broadcast message management system, verifying the broadcast message request to provide a verified broadcast message, the verifying being a function of the broadcast agent identification of the broadcast message request, and an authority of the originating broadcast agent to send the broadcast message of the broadcast message request to the broadcast target area of the broadcast message request, the verifying ensuring the stored broadcast message jurisdiction of the originating broadcast agent includes the broadcast target area of each broadcast message request,

for each verified broadcast message request the broadcast message management system further determining two or more of the broadcast message transmission systems serving at least a portion of the broadcast target area for the broadcast message request, and transmitting the broadcast message and the broadcast target area of the verified broadcast message request to the determined two or more broadcast message transmission systems.

Prior art of record does not teach in whole the invention of claim 17 including the limitations:  
storing a broadcast message jurisdiction authority for each broadcast message originator; for each broadcast message request, verifying an authority of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area, the

verifying ensuring the stored broadcast message jurisdiction of the originating broadcast originator includes the broadcast target area of the broadcast message request, the verifying resulting in a verified broadcast message request; and for each verified broadcast message request, determining two or more broadcast transmission systems providing broadcast messaging service to at least a portion of the broadcast target area and transmitting the broadcast message of each verified broadcast message request over an output interface to the determined two or more broadcast message transmission systems.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7:30AM to 3:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Oscar Louie can be reached on 571 270-1684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Application/Control Number: 13/887,940  
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Page 12

/Joshua Joo/  
Primary Examiner, Art Unit 2445

<b>Notice of References Cited</b>	Application/Control No. 13/887,940	Applicant(s)/Patent Under Reexamination WOOD ET AL.	
	Examiner JOSHUA JOO	Art Unit 2445	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2004/0103158	05-2004	Vella et al.	709/206
	B US-			
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


**FOREIGN PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

**NON-PATENT DOCUMENTS**

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U
	V
	W
	X

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b>Search Notes</b>  	<b>Application/Control No.</b>  13887940	<b>Applicant(s)/Patent Under Reexamination</b>  WOOD ET AL.
	<b>Examiner</b>  JOSHUA JOO	<b>Art Unit</b>  2445

<b>CPC- SEARCHED</b>		
Symbol	Date	Examiner
H04W 4/00,22 (limited)	6/22/2015	/JJ/
H04W 4/02-04 (limited)	6/22/2015	/JJ/
H04L 67/18-26 (limited)	6/22/2015	/JJ/
H04L 12/1895, 51/20 (limited)	6/22/2015	/JJ/


<b>CPC COMBINATION SETS - SEARCHED</b>		
Symbol	Date	Examiner

<b>US CLASSIFICATION SEARCHED</b>			
Class	Subclass	Date	Examiner
Sear			

<b>SEARCH NOTES</b>		
Search Notes	Date	Examiner
Searched in EAST. See attached search history.	7/28/2014	/JJ/
Inventor search in PALM and EAST.	6/22/2015	/JJ/
Assignee search in EAST.	6/22/2015	/JJ/
Updated search in EAST. See attached search history.	6/22/2015	/JJ/

<b>INTERFERENCE SEARCH</b>			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	Interference search in EAST. See attached Interference search history.	6/22/2015	/JJ/

	/J.J./ Primary Examiner.Art Unit 2445
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<b>Issue Classification</b> 	<b>Application/Control No.</b> 13887940	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

CPC						
Symbol					Type	Version
H04H	20	/		02	F	2013-01-01
H04L	12	/		1895	I	2013-01-01
H04L	12	/		5865	I	2013-01-01
H04L	51	/		20	I	2013-01-01
H04W	4	/		06	I	2013-01-01
H04W	4	/		22	A	2013-01-01
H04W	76	/		002	I	2013-01-01
H04W	76	/		007	A	2013-01-01
H04W	92	/		02	A	2013-01-01
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		/				

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE		<b>Total Claims Allowed:</b>	
(Assistant Examiner)	(Date)	23	
/JOSHUA JOO/ Primary Examiner.Art Unit 2445	06/22/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1



<b>Issue Classification</b> 	<b>Application/Control No.</b> 13887940	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47									
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	17	17												
2	2	18	18												
3	3	19	19												
4	4	20	20												
	5	21	21												
5	6	22	22												
6	7	23	23												
7	8	16	24												
8	9														
9	10														
10	11														
11	12														
12	13														
13	14														
14	15														
15	16														

NONE		<b>Total Claims Allowed:</b>	
		23	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/JOSHUA JOO/ Primary Examiner. Art Unit 2445	06/22/2015	1	1
(Primary Examiner)	(Date)		

OK TO ENTER: /J.J./

06/22/2015

PATENT

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

Applicant: Envision IT LLC :  
Serial No: 13/887,940 : Art Unit: 2445  
Filed: May 6, 2013 : Examiner: Joo, Joshua  
For: Broadcast Alerting Message : Attorney Docket No: ENIT 9834C3  
Aggregator/Gateway System and  
Method

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT B**  
**RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed April 15, 2015, please amend the application as follows and consider the remarks set forth below.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 9 of this paper.



## EAST Search History

## EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L4	31	(authoriz\$3 authorization authority) near10 broadcast\$3 near10 (message\$1 alert\$1 alarm\$1 emergenc\$3) near10 (region\$1 location\$1 area\$1 zone\$1).dlm.	US-PGPUB; USPAT; UPAD	OR	OFF	2015/06/22 13:00
L5	9	(authoriz\$3 authorization permission\$1 authority) near10 broadcast\$3 same jurisdiction.dlm.	US-PGPUB; USPAT; UPAD	OR	OFF	2015/06/22 13:02
L10	24	authority near10 broadcast\$3 near10 (area region location).dlm.	US-PGPUB; USPAT; UPAD	OR	OFF	2015/06/22 13:06
L11	10	(authoriz\$3 authorization permission\$1 authority) near10 (notification\$1 alarm\$1 alert\$1 message\$1) near10 (area\$1 region\$1 location\$1 city) same jurisdiction.dlm.	US-PGPUB; USPAT; UPAD	OR	OFF	2015/06/22 13:06
L12	5	target near2 (area region location) same (send user agent source) near2 (id\$1 identification\$1 identifier\$1) same (authenticat\$4 authoriz\$3 authorization permission\$1 authority jurisdiction) same broadcast\$3.dlm.	US-PGPUB; USPAT; UPAD	OR	OFF	2015/06/22 13:07
L13	7	(geographic\$4 physical) near5 (area region location) same (send user agent source) near2 (id\$1 identification\$1 identifier\$1) same (authenticat\$4 authoriz\$3 authorization permission\$1 authority jurisdiction) same broadcast\$3.dlm.	US-PGPUB; USPAT; UPAD	OR	OFF	2015/06/22 13:07

6/ 22/ 2015 1:08:04 PM

C:\Users\jjoo\Documents\EAST\Workspaces\13887940\_Interference.wsp

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S84	26	ENVISIONIT.as.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:05
S85	29	WEISER near2 DOUGLAS.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:06
S86	45	PRESTON near2 KEVIN.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:06
S87	331	WOOD near2 MARK.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:06
S88	194	(authoriz\$3 authorization authority privilege\$1 authenticat\$4 right\$1 permission\$1 permit\$4) near10 (send\$3 transmit\$4) near10 broadcast\$3 near10 (area region location)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:06
S89	97	(authoriz\$3 authorization authority) near10 (send\$3 transmit\$4) near10 (message\$1 alert\$1 alarm\$1) near10 area and broadcast\$3	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:07
S90	1174	broadcast\$3 near10 (alert\$3 alarm\$3 emergenc\$3) near10 (area region location) same (user\$1 device\$1 recipient\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:07
S91	8367	H04W4/00,22.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:07
S92	188	S90 and S91	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:07
S93	18008	H04W4/02-04.cpc.	US-PGPUB; USPAT; EPO; JPO;	OR	OFF	2015/06/22 10:14


			IBM_TDB			
S94	244	S90 and S93	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:14
S95	19060	H04L67/18-26.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:20
S96	148	S90 and S95	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:20
S97	1305	H04L12/1895.cpc. H04L51/20.cpc.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:20
S100	86	S97 and S90	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:20
S101	3418	broadcast\$3 near10 message\$1 near10 (area region location) same (user\$1 device\$1 recipient\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:21
S102	108	S97 and S101	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:21
S103	40	(authoriz\$3 authorization permission\$1 authority) near10 broadcast\$3 same jurisdiction	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:23
S104	33	(authoriz\$3 authorization permission\$1 authority) near10 (notification\$1 alarm\$1 alert\$1 message\$1) near10 (area region location) same jurisdiction	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:23
S105	360	(authoriz\$3 authorization permission\$1) near10 broadcast\$3 near10 (area\$1 region\$1 location\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:24
S107	9419	(send\$3 transmit\$4 broadcast\$3) near10 (notification\$1 message\$1 alert\$3 alarm\$3 emergenc\$3) near10 (area region location) same (user\$1 device\$1 recipient\$1) same (alert\$3 alarm\$3 emergenc\$3)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:32
S109	139743	(validat\$4 authenticat\$4 authoriz\$3 authorization permission\$1 authority) near10 (notification\$1 message\$1	US-PGPUB; USPAT;	OR	OFF	2015/06/22 10:34

EAST Search History

		alert\$3 alarm\$3 emergenc\$3)	EPO; JPO; IBM_TDB			
S111	309367	(validat\$4 authenticat\$4 authoriz\$3 authorization permission\$1 authority) near10 (source sender originat\$3 user requester)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:34
S112	436	S107 same S109	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:35
S113	329	S107 same S111	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:35
S114	112	H04L\$.cpc. and S112	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:35
S115	226	H04W\$.cpc. and S112	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 10:35
S117	71	authority near10 broadcast\$3 near10 (area region location)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 12:52
S118	176	authority near10 (broadcast\$3 transmit\$4 send\$3) near10 (notification\$1 alarm\$1 alert\$1 message\$1) near10 (area region location)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2015/06/22 12:56

6/ 22/ 2015 12:58:11 PM

C:\Users\jjoo\Documents\EAST\Workspaces\13887940b.wsp

<b><i>Index of Claims</i></b> 	<b>Application/Control No.</b> 13887940	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	07/25/2014	04/13/2015	06/22/2015					
1	1	✓	✓	=					
2	2	✓	✓	=					
3	3	✓	✓	=					
4	4	✓	✓	=					
	5	✓	-	-					
5	6	✓	✓	=					
6	7	✓	✓	=					
7	8	✓	✓	=					
8	9	✓	✓	=					
9	10	✓	✓	=					
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11	12	✓	✓	=					
12	13	✓	✓	=					
13	14	✓	✓	=					
14	15	✓	✓	=					
15	16	✓	✓	=					
17	17	✓	=	=					
18	18	✓	=	=					
19	19	✓	=	=					
20	20	✓	✓	=					
21	21		=	=					
22	22		=	=					
23	23		=	=					
16	24		✓	=					

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	23099779
<b>Application Number:</b>	13887940
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7639
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood
<b>Customer Number:</b>	1688
<b>Filer:</b>	David L. Howard
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	ENIT 9834C3
<b>Receipt Date:</b>	03-AUG-2015
<b>Filing Date:</b>	06-MAY-2013
<b>Time Stamp:</b>	17:44:10
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$480
RAM confirmation Number	4824
Deposit Account	162201
Authorized User	HOWARD, DAVID L.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:



**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	ENIT_9834C3_Issue_Fee_Payment.pdf	705245 119532e5546fd6ea2f15cdf8aa107fd24c9f387	no	1

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**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	30735 d704c90748f0b2dc0502472ceeb877a1d9e843a0	no	2
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>	735980
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

1688 7590 06/25/2015  
 Polster, Lieder, Woodruff & Lucchesi, L.C.  
 12412 Powerscourt Dr. Suite 200  
 St. Louis, MO 63131-3615

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

David L. Howard	(Depositor's name)
	(Signature)
August 3, 2015	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/887,940	05/06/2013	Mark Andrew Wood	ENIT 9834C3	7639

TITLE OF INVENTION: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	09/25/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
JOO, JOSHUA	2445	709-203000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
 (1) The names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Polster Lieder  
 2  
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: ENVISIONIT LLC  
 (B) RESIDENCE: (CITY and STATE OR COUNTRY) St. Charles, MO

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reuply any previously paid issue fee shown above)

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5. Change in Entity Status (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29  
 Applicant asserting small entity status. See 37 CFR 1.27  
 Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature   
 Typed or printed name David L. Howard

Date August 3, 2015  
 Registration No. 41,502

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13887940			
<b>Filing Date:</b>	06-May-2013			
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD			
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood			
<b>Filer:</b>	David L. Howard/Kim Adler			
<b>Attorney Docket Number:</b>	ENIT 9834C3			
Filed as Small Entity				
<b>Filing Fees for Utility under 35 USC 111(a)</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Utility Appl Issue Fee	2501	1	480	480

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>480</b>



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Table with 5 columns: APPLICATION NO., ISSUE DATE, PATENT NO., ATTORNEY DOCKET NO., CONFIRMATION NO.
13/887,940 09/15/2015 9136954 ENIT 9834C3 7639

1688 7590 08/26/2015
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Dr. Suite 200
St. Louis, MO 63131-3615

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Mark Andrew Wood, Haslemere, UNITED KINGDOM;
Kevin Russell Preston, Gwent, UNITED KINGDOM;
Douglas Weiser, Port Richey, FL;
ENVISIONIT LLC, St. Charles, MO

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