IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Michael J. Rojas	Examiner:	Creighton H. Smith
Serial No:	12/398,076	Art Unit:	2614
Filed:	March 4, 2009	Docket:	17188Z
For:	SYSTEM AND METHOD FOR INSTANT VoIP MESSAGING		
Conf. No.:	9373	Dated:	February 1, 2012

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. § 1.111

Sir:

In response to the Office Action dated November 1, 2011, please amend the above-identified application as follows:

Amendment to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6.

IN THE CLAIMS

This version and listing of the claims, replaces and supercedes, all prior versions and listing of the claims.

1. (Cancelled)

2. (Currently Amended) A method for instant voice messaging over a packet-switched network, the method comprising:

~~The method for instant voice messaging over a packet-switched network according to claim 1, further comprising:~~

generating [[the]]an instant voice message, wherein generating includes recording the instant voice message in an audio file and attaching one or more files to the audio file;

transmitting the instant voice message having one or more recipients;

receiving an instant voice message when a recipient is available; and

receiving a temporarily stored instant voice message when a recipient becomes available, wherein the instant voice message is temporarily stored when at least one recipient is unavailable.

3. (Currently Amended) A method for instant voice messaging over a packet-switched network, the method comprising:

~~The method for instant voice messaging over a packet-switched network according to claim 1, further comprising:~~

receiving a list of nodes within the packet-switched network, the list of nodes including a connectivity status of each node, said connectivity status being available and unavailable, wherein a node within the list is adapted to be selected as a recipient of an instant voice message; [[and]]

displaying said list of nodes;

transmitting the instant voice message having one or more recipients;

receiving an instant voice message when a recipient is available; and

receiving a temporarily stored instant voice message when a recipient becomes available, wherein the instant voice message is temporarily stored when at least one recipient is unavailable.

4. (Currently Amended) A method for instant voice messaging over a packet-switched network, the method comprising:

~~The method for instant voice messaging over a packet-switch network according to claim 1, further comprising the step of:~~

generating [[the]]an instant voice message; and

controlling a method of generating the instant voice message based upon a connectivity status each ~~of said one or more~~ recipient;

transmitting the instant voice message having one or more recipients;

receiving an instant voice message when a recipient is available; and

receiving a temporarily stored instant voice message when a recipient becomes available, wherein the instant voice message is temporarily stored when at least one recipient is unavailable.

5. (Original) The method for instant voice messaging over a packet-switch network according to claim 4, wherein said method of generating said instant voice message is selected from a group comprising a record mode and an intercom mode.

6. (Original) The method for instant voice messaging over a packet-switch network according to claim 5, wherein said record mode is selected as a default when at least one recipient is unavailable.

7. (Original) The method for instant voice messaging over a packet-switch network according to claim 5, wherein said intercom mode is selected as a default when said one or more recipients are available.

8. (Original) The method for instant voice messaging over a packet-switch network according to claim 5, wherein said record mode comprises the steps of:

recording the instant voice message;

generating a stop indicator; and

transmitting the recorded instant voice message after the generation of said stop indicator.

9. (Original) The method for instant voice messaging over a packet-switch network according to claim 5, wherein said intercom mode comprises the steps of:

buffering each of a plurality of successive portions of the instant voice as the instant message is recorded;

transmitting from each successive buffered portion; and

delivering each successive portion to the recipients wherein the recipients audibly playing each successive portion as it is delivered.

10. (Original) The method for instant voice messaging over a packet-switch network according to claim 8, wherein said stop indicator is generated after a lapse of a preset period of time without receiving an audio input.

11. (Original) The method for instant voice messaging over a packet-switch network according to claim 8, wherein said stop indicator is generated when a sensor detects that a recording device is in a predetermined position.

12. (Original) The method for instant voice messaging over a packet-switch network according to claim 10, further comprising:

detecting an audio input; and

determining when said audio input has stopped.

13. (Currently Amended) The method for instant voice messaging over a packet-switch network according to claim [[1]]3, further comprising:

displaying an indication that an instant voice message has been received; and

playing the instant voice message.

14. (Currently Amended) The method for instant voice messaging over a packet-switch network according to claim 2, further comprising:

displaying an indication that an instant voice message has been received;

separating the instant voice message into [[the]]an audio file and [[the]] one or more files; and

playing the audio file.

15. (Original) The method for instant voice messaging over a packet-switch network according to claim 8, further comprising:

receiving a record start signal.

16. (Original) The method for instant voice messaging over a packet-switch network according to claim 15, wherein said record start signal is an audio signal.

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