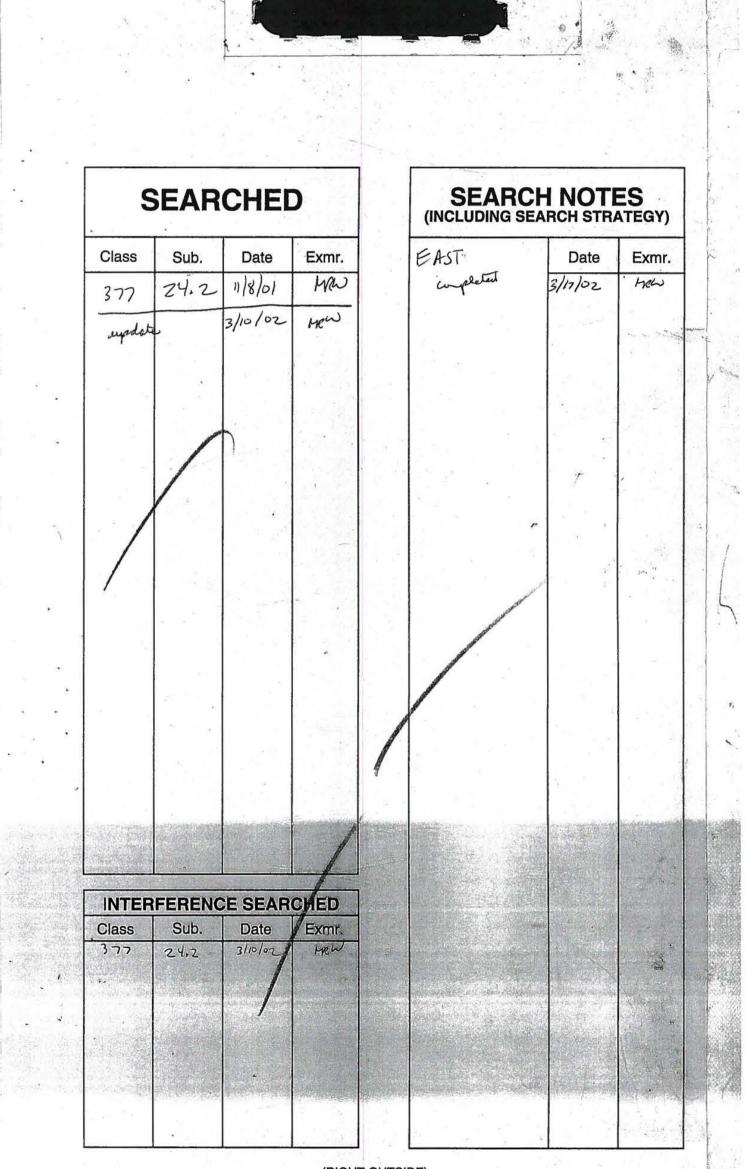
01/04/01 37724.2 Class Subclass ISSUE CLASSIFICATION	Sel 1	PATENT NUMBER 6434212 6434212
APPLICATION NO. CONT/PRIOR	U.S. UTILITY Patent Applic MH O.I.P.E. SCANNED MS Q.A. AA CLASS SUBCLASS ART UN	PATENT DATE AUG 18 2002
09/756647 D Sun Nathan Pyles	MControf 09/19	C CERENT MARKET
Pedometer Ë		PTO-2040 12/99

Image: State of the second	CLASS SUBCLASS CLASS SUBCLASS (ONE SUBCLASS PER BLOCK) 377 24, 2			ISSUING C	LASS	FICATIO	N	•		
377 24, 2 INTERNATIONAL CLASSIFICATION	377 24, 2 INTERNATIONAL CLASSIFICATION GO1 C 21 / 00 GO1 C 21 / 00 Continued on lasue Silp Inside File Jacket 7-12-02 Formal Drawings International classification Image: Strain Silp Inside File Jacket 7-12-02 Formal Drawings Sheets Drwg. Figs. Drwg. Print Fig. Total Claims Print Claim for O. Sheets Drwg. Figs. Drwg. Print Fig. Notice Of AlLOWANCE MAILED Sheets Drwg. Figs. Drwg. Print Fig. Notice Of AlLOWANCE MAILED J19/02 Instrumer and this patent shall of U.S Patent. No. Primary Examiner Margaret R. Warnbach Primary Examiner Margaret R. Warnbach ISSUE FEE Amount Due Date Paid (Date) (Date) (Date) (Date) (Date) (Date) (Date)	ORIGIN	IAL	1.1.1.2.2		CROSS RE	FERENCE	(S)		
INTERNATIONAL CLASSIFICATION GOIC 21/00 GOIC 21/00 GOIC 21/00 Continued On-lasue Silp Inside File Jacket DIDCLAIMER Continued On-lasue Silp Inside File Jacket DISCLAIMER DRAWINGS The term of this patent shall not extend beyond the expiration date of U.S Patent. No. Primary Examiner Margaret R. Warnbach Date Paid Dissue Battch No. Date Paid Margaret R. Warnbach Date Paid Dissue Battch NUMBER Date Paid	INTERNATIONAL CLASSIFICATION G 0 1 C 2 1 / 0 0 G 0 1 C 2 1 / 0 0 G 0 1 C 2 1 / 0 0 Continued on lasue Silp Inside File Jacket D 1 2 - 0 2 Formal Drawings Image: State Silp Set	CLASS	SUBCLASS	CLASS	SU	BCLASS (ON	E SUBCLA	SS PER	BLOCK)	
GOIC 21/00 GOIC 21/00 Continued on usue Silp Inside File Jacket D-10-02 Formal Drawings TERMINAL DRAWINGS DISCLAIMER Sheets Drwg. Figs. Drwg. Print Fig. The term of this patent Sheets Drwg. Subsequent to (date) Assistant Exactor (Date) Margaret R. Warnbacts 19/02 Of U.S Patent. No. Margaret R. Warnbacts Primary Examiner ISSUE FEE Amount Due Date Paid Margaret R. Warnbacts (.17.02) The terminalmonths of Margaret Barminer The terminalmonths of Margaret Barminer	GOIC 21/00 Continued on lasue Silp Inside File Jacket Continued on lasue Silp Inside File Jacket Continued on lasue Silp Inside File Jacket DISCLAIMER DRAWINGS CLAIMS ALLOWED The term of this patent shall not extend beyond the expiration date of U.S Patent. No. Primary Examiner NoTICE OF ALLOWANCE MAILED Image: State the expiration date of U.S Patent. No. Margaret R. Wambacb ISSUE FEE Image: State the expiration date of U.S Patent No. Margaret R. Wambacb ISSUE FEE Image: State this patent shall not extend beyond the expiration date of U.S Patent. No. Margaret R. Wambacb ISSUE FEE Margaret R. Wambacb ISSUE FEE Amount Due Date Paid Image: Statent have been disclaimed. Margaret R. Wambacb ISSUE BATCH NUMBER Image: Statent have been disclaimed. Margaret R. Wambacb ISSUE BATCH NUMBER Image: Statent have been disclaimed. Margaret R. Wambacb ISSUE BATCH NUMBER MARNING: Image: State R. Unauthorized disclosure may be prohibiled by the United States Code Tile 35, Sections 122, 181 and Prosesselon outskie the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	. 377	24,2	1				~		2.1
Image: Strain of this patent shall not extend beyond the expiration date of U.S Patent. No. Image: Strain of this patent shall not extend beyond the expiration date of U.S Patent. No. Image: Strain of this patent shall not extend beyond the expiration date of U.S Patent. No. Image: Strain of the expiration date of U.S Patent. No.	Continued on tasue Silp Inside File Jacket Continued on tasue Si	INTERNATIONA	L CLASSIFICATION						-	
Continued on tasue Slip Inside File Jacket Continued Inside File Jacket	Continued on tasue Silp Inside File Jacket Continued on tasue Si	GOIC	21/00		t_{0}	NIA	-			
Disclaimer Drawings Shis Set 1 -4 -	Image: String									
Disclaimer Drawings Shis Set 1 -4 -	Image: Single									
Disclaimer Drawings Shis Set 1 -4 -	Image: Single		l.		1.1.2					
Disclaimer Drawings Shis Set 1 -4 -	Image: Single			1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1			Continued or	Assue Slip	p Inside File Jac	ket
TERMINAL DISCLAIMER DRAWINGS CLAIMS ALLOWED Sheets Drwg. Figs. Drwg. Print Fig. Total Claims Print Claim for G The term of this patent subsequent to	TERMINAL DISCLAIMER DRAWINGS CLAIMS ALLOWED Sheets Drwg. Figs. Drwg. Print Fig. Total Claims Print Claim for O. The term of this patent subsequent to has been disclaimed. (date) NoTICE OF ALLOWANCE MAILED // The term of this patent shall not extend beyond the expiration date of U.S Patent. No. Margaret R. Warnbach Primary Examiner ISSUE FEE Mound 3//17/o2 (Date) ISSUE FEE Amount Due Date Paid C.17:00 The terminalmonths of this patent have been disclaimed. Its patent state ISSUE BATCH NUMBER WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibiled by the United States Code Title 35, Sections 122, 181 and Possession outskide the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	012	an Form	al Drawings /			1.1	IA	A	
DISCLAIMER Sheets Drwg. Figs. Drwg. Print Fig. Total Claims Print Claim for (The term of this patent subsequent to(date) As been disclaimed. The term of this patent shall not extend beyond the expiration date of U.S Patent. No Margaret R. Warnbach Primary Examiner Margaret R. Warnbach Other State (Date) Discussion of this patent shall not extend beyond the expiration date of U.S Patent. No Margaret R. Warnbach Other State (Date) Margaret R. Warnbach Other State (Date)	DISCLAIMER Sheets Drwg. Figs. Drwg. Print Fig. Total Claims Print Claim for O.	1-12-(14			and the	$-\frac{1}{1}$	1-0	1	
Sneets Drwg. Pigs. Drwg. Print Pide Print Pide Print Claims Print Prin	Sneets Drwg. Figs. Drwg. Print Figs. Print Figs. Image: Sneets Drwg. Figs. Drwg. Print Figs. Print Claims Print Claims Image: Sneets Drwg. Image: Sneets Drwg. Print Figs. Image: Sneets Drwg. Print Claims Print Claims Image: Sneets Drwg. Image: Snee		MED		VINGS	1	A DESCRIPTION OF THE OWNER	S CLAIM		
Interement of this patent subsequent to	Image: Second	DISCLAI	St	neets Drwg. Figs	. Drwg.	Print Fig	Total C	laims	Print Claim	for O.C
Image: Subsequent to	Image: Subsequent to				/		ć	8	1	
subsequent to	subsequent to		natent	<	/		NOTIC	E OF ALI	LOWANCE M	AILED
The term of this patent shall not extend beyond the expiration date of U.S Patent. No Margaret R. Wambach Primary Examiner Margaret R. Wambach Primary Examiner ISSUE FEE Amount Due Date Paid (/?-Oz ISSUE BATCH NUMBER ISSUE BATCH NUMBER	The term of this patent shall not extend beyond the expiration date of U.S Patent. No	subsequent to	(date)	Insert Contraction	<		2/19	102	1.00 ⁻⁰⁰	
not extend beyond the expiration date of U.S Patent. No Margaret R. Wambach Primary Examiner (Primary Examiner) (Date) The terminal months of this patent have been disclalmed. Margaret R. Wambach Primary Examiner (Date) SMO SMO SMO SMO SMO SMO SMO S	not extend beyond the expiration date of U.S Patent. No Margaret R. Wambach Primary Examiner Margaret R. Wambach Primary Examiner Margaret R. Wambach Primary Examiner Margaret R. Wambach Amount Due Date Paid Date Paid Dat	has been disclalme	d.	(Assistant Exactiner	Contraction of the local division of the loc	(Date)	3/1	CALO SCOTTONES		
Primary Examiner Primary Examiner Amount Due Date Paid Amount Due Date Paid (Primary Examiner) (Primary Examiner) Date Paid (Date) Date Paid (Primary Examiner) (Date) Date Paid (Date) ISSUE BATCH NUMBER	Date Paid Date			n shara a	14 monto	ch	and the second s	·	- Den St.	100
Amount Due Date Paid Date Paid (Primary Examiner) Date Paid (Date) Date Paid (Date) Date Paid (Date) Date Paid (Date) Date Paid (Date) Date Paid Date Paid (Date) Date Paid Date Paid	Amount Due Date Paid Date Paid		and the second	Primary	Examine	K Contraction	- Second	ISS	UE FEE	
Primary Examiner) (Date) DOC 0 // ISSUE BATCH NUMBER	Coate) ISSUE BATCH NUMBER ISSUE BATCH NUMBER Coate) Coat	2 A.		A		and the second se	Amour	nt Due	Date I	Paid
The terminalmonths of this patent have been disclalmed.	The terminalmonths of this patent have been disclalmed. (Legal instruments Examiner) (Date) WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.			mila	en A		1280)		6.17.	02
The terminalmonths of this patent have been disclalmed.	The terminalmonths of this patent have been disclalmed. WARNING: The Information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	·····		(Primary Examiner)		(Date)				-
this patent have been disclaimed.	WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	The terminal	_months of	V. how	19	2200	ات ا ب	SUE BA	ICH NUMBE	R
(and)	The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	this patent have been	en disclalmed.	Legal Instruments Exan	niner)	(Date)				
WARNING:	Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	WARNING:			.1	100 g 12	8 O.			
The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.		The information disclose Possession outside the	ed herein may be restricted	d. Unauthorized disclosu	re may be p	prohibited by the U	Inited States (Code Title 3	5, Sections 122,	81 and 3
Form PTO-436A Rev. 6/99) FILED WITH: DISK (CRF) FICHE CD (Attached in pocket on right in						11	1			
Rev. 6/99) (Attached in pocket on right in			(ts) (st.)	- 52, 50		4.2 1				
Rev. 6/99) (Attached in pocket on right in	anter DEFL	TENNESS	antoint:					lee	Fine	1
Rev. 6/99) (Attached in pocket on right in	antes april			· · · · ·		· · ·		1990		
Rev. 6/99) (Attached in pocket on right in	anton a Ri	1		6 	-					
lev. 6/99) (Attached in pocket on right in	and and			2 A	(FACE)		1. C			

いたいいいないないののないのないで

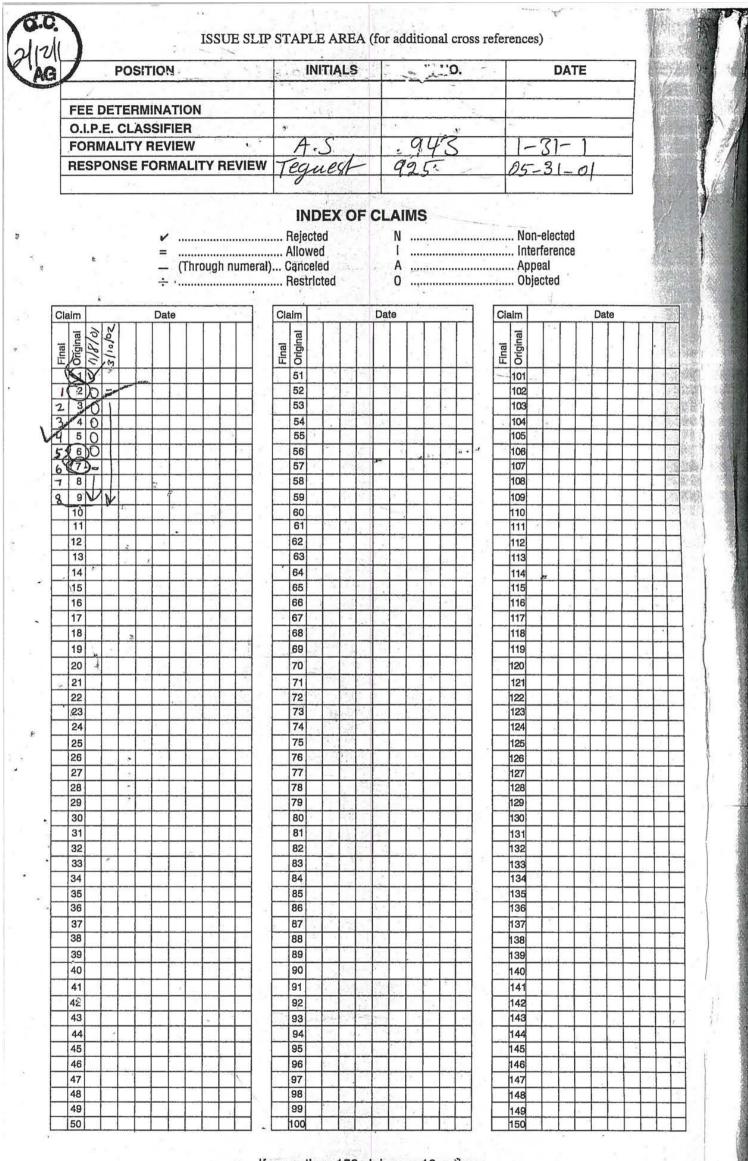
	PATENT APPLICATION	cosof)	U.B. PTO	
			756647 10 10 10 10	•
	09756647		4/01	INITIALS CF
	3			
		CON Date Received	TENTS	Data Deschurd
		(inci. C. of M.)	42	Date Received (Incl. C. of M.) or
-		Date Malled		Date Mailed
1	1. Application papers.		42	
	2. LTR. Re. Dec y B. Fee Mass	021501	43	······································
	3. Dec Fee	04 116 01	44	
1	4. Kr (3mths)	011-01	43,	······································
4.	ots. Kg (Souths)	1-15-62	46	
	Berle (1/12/02	47	
1	12 COMPLETE MIL	3/19/02/20	48	
3.1	1 PORTALISTAL FJOL 37	8 19 000	49	7
	10.7-10.02 Swall Entity	6-17-02		
	11.	<u>.,,,,,</u>	51 52	
ľ		- Sec.	53.	
	13		54.	e
3	14		55	· · · · · · · · · · · · · · · · · · ·
	46		56.	,
ł	16		57.	
1	17		58	
1	18	. <u></u>	59	
ł	19		60	
10.12	20		61	
	21		62	
ł	22		63	
	23	<u></u>	64	
	24		65	•
ł	25		66	
	26		67	
Ť.	27		68	<u> </u>
	28	A 00.4556	69	
	29	·	70	
-	30	· · · · · · · · · · · · · · · · · · ·	71	4
	31. <u>****</u>		72	
	32	1	73	······································
1	33	1.1	74	<u> </u>
1	35.		76	
	36	6	77	/ / / / / / / / / / / / / / / /
	37	- 5e	78	
	38		79	
1	39		80	7
	40		81	
1	41		82.	

TomTom Exhibit 1009, Page 2 of 92



(RIGHT OUTSIDE)

TomTom Exhibit 1009, Page 3 of 92



If more than 150 claims or 10 actions staple additional sheet here

(LEFT INSIDE)

	· · · ·					
	CLASS	IFICATIO	N NOTI	ES	алан (1996) 1970 — Алан (1996) 1970 — Алан (1996)	
	Examiner/ Classifier	Class	Date	Initials	<i>.</i>	
					se e	
			-			~ (-
					- 19 - 19	
· 1						
				8		
Υ.	*		- 19 ⁻¹	"		
		1 Arta				
		· · · ·	ar ar			
	LI					
which is the second					ж — Э	
			· · · ·			
R						
					1.1	
	4	· · · · · · · · · · · · · · · · · · ·				
8		· 1.				
	÷					

ERIAL NUMBER	FILING DATE 01/04/2001	CLASS	GROUP ART		ATTORNEY DOCKET NO.
09/756,647 PLICANTS Nathan Pyles,	RUDE	377	2816		KNOWMO-6
CONTINUING DA	ATIONS A CON OF 09/1	81,738 10/28/1998	PAT 6,175,608		
OREIGN APPLIC	MU SHIDE CATIONS ************************************		L ENTITY **		
eign Priority claimed JSC 119 (a-d) condition fied and	ves no s yes no Allowance xaminer's Signature	W	R SHEETS DRAWING 1	TOTAL CLAIMS 9	INDEPENDENT CLAIMS 2
DRESS	A CONTRACTOR OF CONTRACTOR		No. of the second secon		
LE dometer	1		•		
and the second sec				-1	
	ES: Authority has been giv	ven in Paper	and the second se	6 Fees (Filir 7 Fees (Pro	ng) cessing Ext. of
ACCEIVED No. 420 No.	ES: Authority, has been giv to charge/cre for following:	edit DEPOSIT ACCO	DUNT time)	B Fees (Issi	
			Oth		
			Cre	dit	
					-
	4 . Hereit				N 196 2

TomTom Exhibit 1009, Page 6 of 92

			× .							1			
	8	5							• ,				
					1944 - C. 1947 -							8	
1		*											
												1.0	
. 4							1						
							-						
	Please	vpe a plus	sign (+) in	side this box		0	1-0.	5-0	01.5			PTC)/SB/05 (1
	\rightarrow			-			Dat	ent and	A		ise through 0 J.S. DEPAR		
	Under t	he Paperw	ork Reduc	tion A 1995,	, no persons are re	quired to re	-		1)		nless it displ		
84	control	number				T	-				1	1846	
5	1			ILITY		Attorney No.	y Docket		KNOW	MO-6	Total	Pages	
				PPLICAT]	First Na	amed Inve	entor or A	pplication I	dentifier	E.
PTO		1	RANS	SMITTAL		Nath	an Py	les			12 -		
		r new nonj	provisional	applications und	ler 37 CFR		Mail La			EL28194	4856115		
	1.53(b))		ADDI	ICATION ELES	(E) TO	Express						for Datanta	-
	1			ICATION ELEN			ADI	RESS	TO: H	Box Patent	ommissioner Application	tor ratents	μ, i
	See MPI		600 conce	and the second se	nt application con	tents.	6.	1			1, DC 20231 uter Program	(Annendiv)
		(subm	nit an origin	RANDARY	ate for fee processi			L]				
	2. X		fication erred arrang	gement set forth l	[Total Pages below)	s 13] 7.			l/or Amino all necessa	Acid Seque	nce Submis	sion
		- Desc	riptive title	e of the Invention	1			a	-		adable Copy		
				es to Related App arding Fed sponso				b.	Pa	per Copy	(identical to c	computer co	opy)
			아이나의 아니까? 나는 아이 관재가 다 가지?	licrofiche Append									
1.mE -			-	the Invention				с.	51	atemençye	rifying identi	ty of above	copies
Haut				of the Invention on of the Drawin					ACCOM	PANYING	APPLICAT	ION PART	rs.
		- Deta	iled Descri		1		8.	1.	Assign	nent Paper	s (cover shee	t & docume	ent(s))
ñ		- Clair - Abst	Contraction of the second	Disclosure			9.			. 3.73(b) S			wer of
n ×	3. X			USC 113)	[Total Sheets	s []	1 10.	-	= `	here is an a Translatio	issignee) n Document		torney de)
-	1900 - 1 1 (190	th or Decl			[Total Pages] 11.		Informa	tion Discle	osure	Co	pies of ID
4R	a.		Newly exe	cuted (original or	r copy)		12.	-		ent (IDS)/P nary Amen		Cit	ations
Ł	b.		Copy from	a prior applicati	on (37 CFR 1.63(13.	x	Return	Receipt Po	stcard (MPE		
1-10 1				luation/divisional lox 5 below]	with Box 17 com	pleted)	14.	-	Small E	-	cally itemized	a) atement file	ed in prior
u dup			100	202				L	Stateme	ent(s)		plication, S oper and de	
i				N OF INVENTO			15.				Priority Doci	Contraction in the second second	
	L				leleting inventor(s 37 CFR 1.63(d)(2			L	(if forei	gn priority	is claimed)		
	۰ F	-	1.33(b).					<u> </u>	1 04				
1	5.	The e	ntire disclo	sure of the prior	able if Box 4b is cl application, from	which a	16.		Other:				
				or declaration is ing part of the di	supplied under Bo sclosure of the	ox 4b, is).	
			npanying ap nce therein		hereby incorporat	ed by							•
				PLICATION, c	heck appropriate l		S. S				1-101		
		Conti	nuation	Divisional		nuation-in-p			1111111111111111	applicatio	n No.: _09/18	31,738	
								<u>The br</u>					
	x	Custo	mer Numb	er or Bar Code	(Insert Custo		,455 Attach b	ar code	label	or	Corresp	ondence ad	dress belo
ł		Label	N		here)								
	Name	<u>, </u>	1. (A. 27										
	Address	ŀ	-			-		-	100 M	i dia		3	15 12
- F	City					State			1	Z	ip Code		1
	Country				T	elephone		1		1000	Fax	1	

PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nathan Pyles

For: PEDOMETER

Docket No.: KNOWMO-6

BOX PATENT APPLICATION Assistant Commissioner for Patents Washington, D.C. 20231

> "Express Mail" Mailing Label No.: EL281944856US Date of Deposit: January 4, 2001

I hereby certify that these attached documents

Response postcard

PTO/SB 05 (1p)

See H II and and and See Hull

LA RAL PAR

--

Specification, Claims and Formal Drawing (14 pp)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 35 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

. Smith, Reg. No. 33455)

Enclosed for filing please find the above-referenced new patent application. Please indicate receipt of this application by returning the attached postcard with the official Patent and Trademark Office receipt and serial number stamped thereon. Respectfully submitted,

anty

Jeffry W. Smith, Reg. No. 33455 Attorney for Applicant Lathrop & Clark LLP P.O. Box 1507 Madison, Wisconsin 53701-1507 (608) 257-7766

exprmail.app



69/156647

ABSTRACT OF THE DISCLOSURE

The pedometer having improved accuracy by calculating actual stride lengths of a user based on relative stride rates. The pedometer includes a waist or leg mounted stride counter, a transmitter for transmitting data to a wrist-mounted display unit, and a data processor for calculating necessary base units and actual stride rates and lengths. The pedometer can also interact with a heart monitoring device.

13

The undersigned hereby certifies that this document is being deposited with the United States Postal Service today 2001, by the "Express Mail" service, dilizing express mail number EL 2819448560US addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

PEDOMETER

This application is a continuation of Application No. 09/181,738, filed October now us patent no. 6, 175, 608 28, 1998, the disclosure of which is incorporated by reference herein.

FIELD AND BACKGROUND OF THE INVENTION

The present invention relates generally to pedometers having a waist mounted stride-counting device and transmitter, and a wrist-mounted receiver and display. The invention also relates to a distance calculation device that calculates a distance walked or run based on an algorithm that converts a base stride length and a base stride rate to an actual stride length for use in calculating the distance traveled.

Pedometers are known which include devices or algorithms for determining the distance a person travels on foot. For example, U.S. Patent 4,371,945 discloses an electronic pedometer that calculates distance by electronically measuring the length of each stride taken by a user. Stride length is measured by ultrasonic waves generated by an ultrasonic module strapped to one leg and an ultrasonic detector worn on the other leg. A program compensates for a variety of measurement errors and the results are displayed on

1

1.1

5

10

a wrist-mounted display after being transmitted by VHF waves from the leg to the wrist.

5

10

15

20

25

30

.≞

U.S. Patent 4,771,394 discloses a computer shoe with a heel-mounted electronic device with an inertia footstrike counter, a timer, a sound generating device, a battery, and a gate array for counting time and footstrikes to calculate distance and running time as a function of stride time. Although recognizing the important relationship of stride length and foot speed, the shoe in this patent requires data from at least 15 test runs or walks and the data must be user-entered in pairs of footstrikes and elapsed time to cover a pre-determined distance. Further, user adjustments of time must be performed to accommodate start and stop times, and the number of counted footstrikes is increased one percent to overcome inherent errors in the inertia step counter. The shoe-mounted device is subject to damage from impact, dirt, and water, and requires a stay-at-home computer with which to interface. There is no means disclosed to transmit data to a wrist-mounted display device or an "on-board" computing device that provides "real time" data to a runner.

U.S. Patent 4,855,942 discloses a pedometer and calorie measuring device that includes a wrist-mounted step counter and a fixed stride length to calculate distance traveled. Wrist-mounted step counters are known to be inaccurate because they assume a step for every arm movement. Even with error correction, such a device will provide less accurate step counts than a leg or waist-mounted counter. Further, fixed stride lengths do not take into account the fact that stride length varies with rate of movement.

U.S. Patent 5,117,444 discloses a pedometer and calibration method with two calibration modes. First, a user travels a predetermined "half-distance" for the device to count and store the number of strides in that distance. Next, the user travels a second distance with the step counter comparing actual steps to the steps in memory and a current trip memory are incremented by a tenth of a "whole unit" distance. There is no correlation between stride length and stride rate which requires the user to re-calibrate the device when walking as opposed to running.

U.S. Patent 5,475,725 discloses a pulse meter with pedometer function to determine pace and pulse rate of a user. The meter uses pulse wave base data compared to actual pulse wave data rates.

2

U.S. Patent 5,476,427 discloses a pace display device utilizing a base rate for traveling pre-set distances in successive trails. The device calculates step counts and rates, and compares actual step count rates to display data to a user for comparison of present running rates to previous rates.

Thus, there is a need for a simple, but highly accurate, pedometer that displays distance traveled, pace, speed, heart rate, and other important information on an easily read wrist-mounted device.

SUMMARY OF THE INVENTION

The present invention overcomes problems and shortcomings in the prior art by providing a device that includes a waist, chest, or leg-mounted stride counting device, a transmitter, and a wrist-mounted receiver/display device that provides highly accurate travel distances and other information. The device includes a computer that stores base stride length and rate data from traveling a pre-determined distance and compares that to actual stride rate data to calculate actual distance traveled, speed, and pace. The invention recognizes the interdependency of stride length and stride rate and uses that relationship to provide superior distance-calculating accuracy.

The invention also provides for improved display of relevant data on a wristmounted display that receives digital signals from devices worn on other body parts such as legs, waist, and chest. Transmitters that can send coded signals are desirable because they will not interfere with similar devices worn by other users in the vicinity.

The accuracy of the device is enhanced by the use of an algorithm that adjusts a base stride length based on actual stride rates. The algorithm is defined as: Actual Stride Length = Base Stride Length + Base Stride Length *(((Actual Stride Rate - Base Stride Rate) N)/Base Stride Rate); where N is either an average value or a derived value from a plurality of samples.

The invention also includes a method for calculating an actual stride length including steps of: timing a first user run of a predetermined distance; counting the total number of strides in the user first run; dividing the first run distance by the stride count to obtain a base stride length; dividing the stride count by the first run time to obtain a base stride rate; counting strides during a user's second run to obtain an actual stride rate;

3

and a start and a start a start and a start an

14

5

10

15

20

25

calculating the actual stride length using the formula: Actual Stride Length = Base Stride Length + Base Stride Length

*(((Actual Stride Rate - Base Stride Rate)N)/Base Stride Rate); wherein N is an average value or a derived value.

The average value method can be refined by comparing Base Stride Rate to Actual Stride Rate to determine a percentage difference; and using N=1 when the Actual Stride Rate \leq Base Stride Rate * 1.02 and using N=3 when Actual Stride Rate > Base Stride Rate * 1.02. A preferred embodiment uses a plurality of sample runs over known distances to derive an accurate N value for each individual.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a schematic diagram of a pedometer in accordance with the present invention.

DETAILED DESCRIPTION OF THE DRAWINGS

As illustrated in Fig. 1, the present invention is directed to an improved pedometer 20 including: a waist, chest, or leg mounted stride counter 24, and a wrist or waist mounted display unit 26. An optional chest-mounted heart monitor 28 can be included. All of the device components are mounted in suitable housings. The pedometer 20 includes a data processor 30 that is mounted in the same housing as either the step counter 24 or the display unit 26.

The step counter 24 is an inertia device that counts the number of steps a user takes. The number of steps is transmitted to a data archive 32 either directly or via a transmitter 34. The data archive 32 is mounted in the housing with the step counter 24 or the display 26.

25

30

20

The transmitter 34 is mounted in the step counter housing and is preferably an Rf telemetric signal transmitter with a 30 inches to 36 inches transmission range. Alternately, the transmitter is a wireless or wired digital transmitter with a coding function to limit or eliminate interference with other similar devices. The wireless transmission range is set between 30 inches and 36 inches to provide adequate range to transmit signals from a user's waist to wrist, but not so far as to cause interference with other Rf or digital devices in the vicinity.

1.4

5

10

The transmitter 34 transmits either raw data or calculated distances, pace, etc. to a wrist-mounted display unit receiver 40. The receiver 40 relays a raw data signal to the data processor 30 or a calculated data signal directly to the display panel 42, such as an LCD or LED.

Similarly, the heart rate monitor 28 includes a transmitter 44 that transmits heart rate data to the display unit 26. The heart monitor transmitter 44 can transmit at the same or a different frequency as the stride counter 24, and to the same or a different receiver in the display unit 26. The heart rate transmitter 44 is preferably Rf, but can be digital for the reasons stated above. The range of the heart rate transmitter 44 should also be between 30 inches and 36 inches to ensure effective communication with the receiver while limiting outside interference.

The data processor 30 can also include a programmable logic controller, a personal computer, a programmable read-only memory, or other suitable processor. The data processor 30 includes a data archive 32 to store historic data on stride length and pace to be used in an algorithm for calculating actual distances, speed, and rate for real-time conversion of data to useful information for a user.

The data processor 30 can also include closed loop or fuzzy logic programming to continually or periodically replace the base stride rate and length with recently calculated stride rates and lengths so that long term conditioning trends are accommodated in the base stride archive. Incorporating trend capabilities may further enhance accuracy of the distance and pace calculations.

The display unit 26 also includes an operator interface 46 such as a key pad, button, knob, etc. that enables the user to start and stop a clock 48 (or stop watch) and activate various use modes within the pedometer, such as a sampling mode and operation mode.

One option for using the pedometer 20, requires the user to operate a "sampling mode" and begin walking or running a pre-determined distance such as a mile or 1600 meters, preferably on a running track of a known size. Upon completion of the distance, a stop button on the operator interface 46 is pushed. The data processor 30 is programmed to then divide the distance by the number of strides counted to calculate an average stride

5

5

10

15

20

25

length. This value is stored in the data archive 32 as the "Base Stride Length."

Also, the data processor 30 is programmed to divide the number of strides by the time of the run or walk as measured by the clock 48 to arrive at a "Base Stride Rate."

The data processor 30 preferably includes programming that queries the user about the distance to be run during the sampling mode. By providing options or enabling the use of any distance during the sampling mode, the pedometer 20 provides maximum flexibility for use by people of various physical conditions, or having access to courses of different known distances. Thus, a user may be queried to input a distance to be used in the sampling mode and then be given a list of options such as 400 meters, 440 yards, 1600 meters, or one mile, or be asked to simply input any distance known to the user that will be traveled during the sampling mode.

The present invention makes full use of the relationship between a faster rate of travel and longer stride lengths. In other words, the faster a user is moving, the longer will be the stride length. Over the course of the run or walk, the user's step rate and, therefore, stride length will change and the user will cover more ground when moving fast and less ground when moving slow.

Clearly, using a fixed average stride length in calculating distance traveled will result in errors using prior pedometers. This is particularly true if a user changes pace, or improves conditioning and speed to the point where the average stride length over a given run increases dramatically. The error compensators in prior devices do not adjust for changes in pace. With the old devices, a user needed to re-calibrate periodically to be close to getting an accurate reading, and could not change pace during a workout without decreasing accuracy.

To make the correction, the user activates a "Use Mode" in which the data processor 30 calculates an Actual Stride Rate based on data from the stride counter 24 and the clock 48. For example, an Actual Stride Rate can be calculated every five seconds without the user doing more than activating the "Use Mode" button, while all the calculations are performed by the data processor automatically. The percentage change between the Actual Stride Rate and the Base Stride Rate is then computed by the data processor 30 to determine an Actual Stride Length. Again, if the Actual Stride Rate is

6

15

20

5

10

25

greater than the Base Stride Rate, the Actual Stride Length is longer than the Base Stride Length. If the Actual Steps Per Second is lower than the Base Steps Per Second, the Actual Stride Length is shorter than the Base Stride Length. The algorithm below provides a means for comparing the Actual and Base Stride rates to arrive at an accurate Actual Stride Length.

First, a comparison between the Actual Stride Rate and the Base Stride Rate is made to determine whether Actual Stride Rate is less than or equal to Base Stride Rate multiplied by 1.02. Stride Length is calculated by:

Actual Stride Length = Base Stride Length +

Base Stride Length *(((Actual Stride Rate - Base Stride Rate)N)/Base Stride Rate)

Where: N=1 when Actual Stride Rate is less than or equal to Base Stride Rate multiplied by 1.02, and N=3 when Actual Stride Rate is greater than Base Stride Rate multiplied by 1.02, although other N values in the range of one to three can be used.

The above algorithm is accurate for heel to toe activities such as walking or jogging, but is less accurate for sprinting (toe only).

A third method of calculating actual stride length uses three separate run or walk samples at three different paces. This is the most accurate option. With this method, the N values are unique for each individual. By deriving an N value for each individual, this value more accurately reflects the actual change in stride length with a change in pace. After a proper warmup, the user completes a sample run or walk on the track at a normal pace. This first sample S1, will establish the Base Stride and the Base Steps Per Second. S1 SAMPLE:

S1 Stride = Base Stride = Distance / Number of Steps

S1 Steps Per Second or S1 Steps Per Second = Base Steps Per Second = Number of Steps Per Second

7

Following completion of the first run or walk at normal pace, the user runs or walks the same course and the same distance at a faster run or walking pace, but not a sprinting pace. The user should not run on his toes, but maintain the normal heel to toe jogging style. This is the S2 sample. The purpose of the S2 sample is to calculate an N2

 10

15

25

30

value for each individual which reflects the effect an increase in Steps Per Second has on this individual's stride length. Some individual's steps will lengthen more than others as Steps Per Second increases, and by finding the value for N2, this relative increase can be quantified for a more accurate and customized algorithm for each individual.

S2 SAMPLE:

To find the N2 value, which will be used by the algorithm when Actual Steps Per Second > Base Steps Per Second

N2 = ((S2 Stride * S1 Steps Per Second) - (S1 Stride * S1 Steps Per Second)) / (S1 Stride (S2 Steps Per Second - S1 Steps Per Second))

This value can be calculated since the distance is known, and both a Fast Stride Length (S2 Stride) and a Fast Steps Per Second (S2 Steps Per Second) can be calculated from the second sample.

Following completion of the fast run or walk, the user runs the same course and the same distance at a slower than normal run or walking pace. This pace cannot exceed the first sample pace. This is the S3 sample. The purpose of the S3 sample is to calculate an N3 value for each individual which reflects the effect a decrease in Steps Per Second has on this individual's stride length. Some individual's steps will shorten more than others as Steps Per Second decreases, and by finding the value for N3, this relative decrease can be quantified for a more accurate and customized algorithm for each individual. S3 SAMPLE:

To find the N3 value, which will be used by the algorithm when Actual Steps Per Second < Base Steps Per Second.

N3=((S3 Stride * S1 Steps Per Second) - (S1 Stride * S1 Steps Per Second)) / (S1 Stride (S2 Steps Per Second - S1 Steps Per Second))

This value can be calculated since the distance is known and both a "Slow" Stride Length (S3 Stride) and a "Slow" Steps Per Second (S3 Steps Per Second) can be calculated from the third sample.

Once these three samples are completed and the information automatically calculated and stored in the data processor 30, then the following formula can be used for the most accurate measurements of speed and distance.

8

and the state of t

10

15

25

If: Actual Steps Per Second is less than or equal to Base Steps Per

Then:

Second

Stride Length = Base Stride + Base Stride*(((Actual Steps Per Second - Base Steps Per Second)N)/Base Steps Per Second)

And N = N3 (Stored Value)

If: Actual Steps Per Second > Base Steps Per Second Then:

Stride Length = Base Stride + Base Stride*(((Actual Steps Per Second - Base Steps Per Second)N)/Base Steps Per Second)

And N = N2 (Stored Value)

This third option for calculating stride length, and subsequently distance, speed, and pace, is a far more accurate method than a fixed stride length pedometer. This device and method are also practical, convenient, and has a relatively low manufacturing cost. If an individual's running or walking style is progressing with training and practice (as seen by significantly improved times), then it may be beneficial for them to recalibrate their device by repeating the three samples every 3 to 6 months. If there are no significant improvements in time, then recalibration is not necessary.

It is noted that any single stride length or pace discussed above can in fact be an average of a plurality of stride lengths or rates from test runs to further refine accuracy in the calculations of actual stride data.

Other variations on this device could also incorporate an altimeter which measures changes in elevation. The stride length could then be adjusted (shortened) when elevation is increasing, and lengthened when elevation is decreasing. This adjustment could be done with an average value, as we used in setting option 2, or with a derived value by running or walking over a known distance on a hilly course. This device can use two batteries so that the calibration data is not lost when the batteries are replaced one at a time.

Once the actual stride length is calculated for a given period of time, the value can be multiplied by the number of strides in that period to obtain a total distance for that period to be stored in a data archive file for that particular walk or run and added to other

9

0

10

15

20

25

actual stride lengths or distances for other periods in which stride length was calculated. When the run or walk is completed, the user engages the operator interface 46 to indicate that a total distance is to be displayed on the display unit. Preferably, there is continual display of the distance traveled.

As a result of accurately calculating distance traveled, the pedometer 20 also has the capability of calculating speed in miles per hour, for example or pace in minutes per mile, including average speed and pace over the course of that particular walk or run. Further, the pedometer 20 can include a port for coupling to a separate personal computer or computing device to create larger training histories, trends, etc.

Additional features can include stop watches, day, date and time displays, as well as, heart rate displays as discussed above. Also, it will be understood that all distances and time periods used above can be varied in length and units of measure (English, metric, seconds, minutes, hours, etc.).

The foregoing detailed description is provided for clearness of understanding only and no unnecessary limitations therefrom should be read into the following claims.

10

15

CLAIMS

An exercise monitoring device comprising:
 a strap for releasably securing the exercise monitoring device to a user;
 a step counter joined to the strap; and
 a heart rate monitor joined to the strap.

5

10

15

20

12

1. B

H 1171 H B H"H -H

The exercise monitoring device of claim 1, and further comprising:
 a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by the step counter by a stride length that varies according to a rate at which steps are counted.

3. The exercise monitoring device of claim 1, and further comprising: a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by the step counter by a stride length that varies in accordance with a stride rate, wherein the stride length is determined with reference to a plurality of calibrations that each calculate a stride length as a function of a known stride rate.

4. The exercise monitoring device of claim 3, wherein the data processor is further programmed to recalibrate the stride length as a function of a subsequently calculted and known stride rate.

4.8. The exercise monitoring device of claim, wherein the data processor is further programmed to recalibrate the stride length by calculating an average stride length from the calibration stride length and the recalibration stride length.

6. The pedometer of claim 1, and further comprising:

a data processor programmed to calculate a distance traveled by multiplying the number of steps counted by the step counter by a stride length that varies according to a rate at which steps are counted, and further programmed to derive the stride length from a range of stride lengths calculated from a range of corresponding stride rates calculated from a plurality of calibration samples

7. A pedometer comprising:

a step counter;

5

10

15

20

25

And and the first strength

1

Hard The Hard

11

1.4

a transmitter in communication with the step counter to generate a step count signal corresponding to each step and transmit the step count singal; a receiver mountable on a user body portion to receive the step count signal transmitted from the transmitter; and

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by a stride length that varies according to a rate at which steps are taken, and further programmed to derive an actual stride length/from a range of stride lengths calculated from a range of corresponding stride rates.

7%. The pedometer of claim, wherein the data processor is further programmed to:

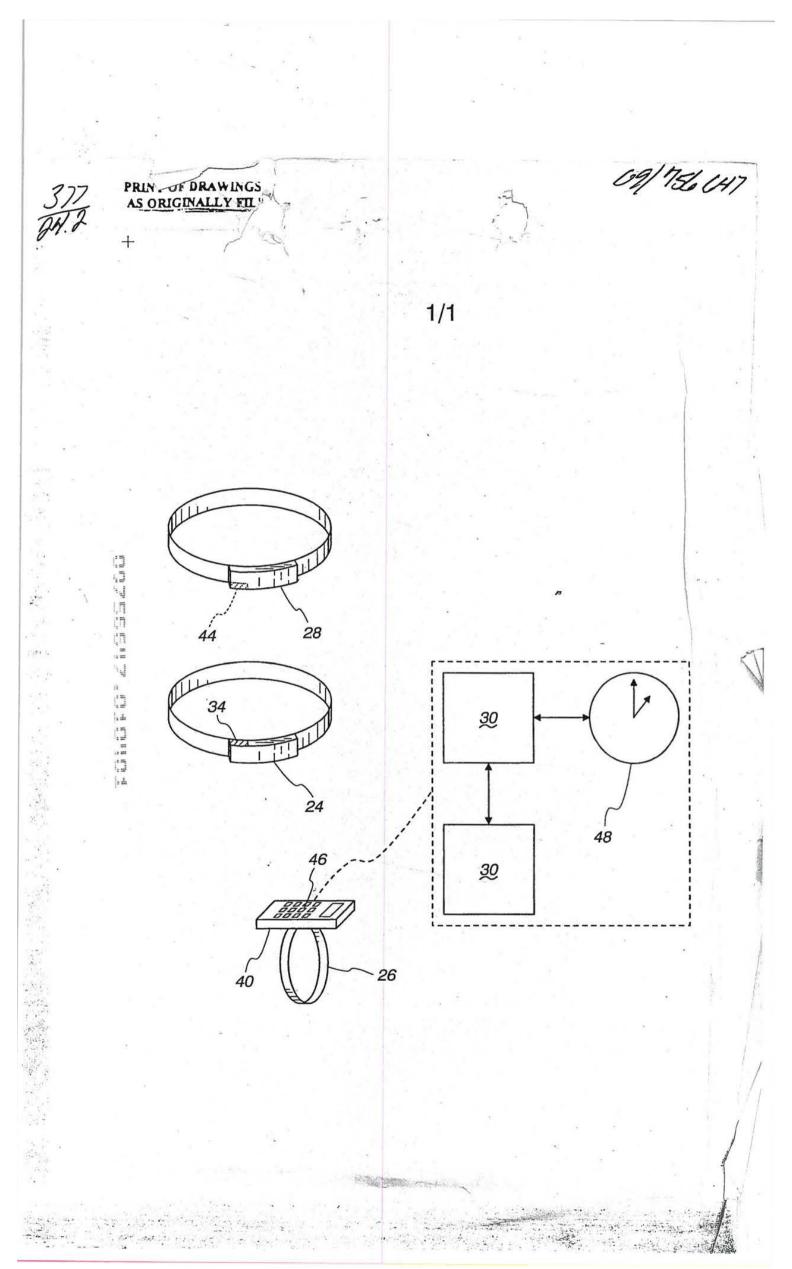
use the range of stride rates to create a corresponding range of stride lengths and compare an actual stride rate to the range of stride rates to derive a corresponding actual stride length.

8%. The pedometer of claim, wherein the data processor is further

programmed to:

interpolate between and extrapolate from the ranges of stride rates and stride lengths to calculate a plurality of additional corresponding stride rates and stride lengths.

12



	1	~	
[^]			Page 1 of 1
APTIENT AND TRANSPORT			
UNITED STAT	es Patent and Tradema	rk Office	Commissioner for Patents
		UNITED	STATES PATENT AND TRADEMARK OFFICE Washington, D.C. 2023
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/756,647	01/04/2001	Nathan Pyles	KNOWMO-6
	+ N.		CONFIRMATION NO. 7058
20455		FORMAL	CONFIRMATION NO. 7058
ATHROP & CLARK LLP 40 REGENT STREET SUI	TE 400		
O. BOX 1507		*OC0000000	05767777* J
ADISON, WI 537011507		1	Ħ
	· · ·	1 E	Date Mailed: 02/15/2001
NOTICE TO FIL	E MISSING PARTS C	E NONPROVISIONA	
			E AIT EIOATION
	FILED UNDER	27 CED 4 52(b)	
	FILLD ONDER	51 CFR 1.55(b)	5 ST
owever, are missing. Applic	<i>Filing Dat</i> filing date have been accord cant is given TWO MONTH	te Granted ded to this application. The IS from the date of this No	tice within which to file all
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR 	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. it \$ 710 to complete the base 1.27).	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR	tice within which to file all is of time may be obtained by
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration 	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. <i>it</i> \$ 710 <i>to complete the bas</i> <i>1.27</i>). on is missing.	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr	tice within which to file all ns of time may be obtained by 1.136(a). <i>mall entity statement claiming</i>
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme 	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. <i>it</i> \$ 710 <i>to complete the bas</i> <i>1.27</i>). on is missing.	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e)
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme 	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. <i>it</i> \$ 710 <i>to complete the bas</i> <i>1.27</i>). on is missing. ent, a late filing fee or oath c	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e)
 owever, are missing. Applied of the statutory basic fill Applicant must submisuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smithed of the status of t	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath c all entity, must be submitted	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e)
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme 	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath c all entity, must be submitted	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e)
 owever, are missing. Applied of the statutory basic fill Applicant must submisuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smithed status for a non-smithed st	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath c all entity, must be submitted	te Granted ded to this application. The IS from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e)
 owever, are missing. Applie equired items and pay any it ing a petition accompanied The statutory basic fil <i>Applicant must submi</i> <i>such status (37 CFR</i>) The oath or declaration To avoid abandonme of \$130 for a non-smither The balance due by 	Filing Data filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extension r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applie equired items and pay any it ing a petition accompanied The statutory basic fil <i>Applicant must submi</i> <i>such status (37 CFR</i>) The oath or declaration To avoid abandonme of \$130 for a non-smither The balance due by 	Filing Date filing date have been accord cant is given TWO MONTH fees required below to avoid by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath c all entity, must be submitted	te Granted ded to this application. The S from the date of this No d abandonment. Extension r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applie equired items and pay any it ing a petition accompanied The statutory basic fil <i>Applicant must submi</i> <i>such status (37 CFR</i>) The oath or declaration To avoid abandonme of \$130 for a non-smither The balance due by 	Filing Data filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extension r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied of the statutory basic fill Applicant must submisuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smisure The balance due by 	Filing Data filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extension r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smission The balance due by 	Filing Dat filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smission The balance due by 	Filing Dat filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extension r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smission The balance due by 	Filing Dat filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smission The balance due by 	Filing Dat filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied of the statutory basic fill Applicant must submissuch status (37 CFR) The oath or declaration To avoid abandonme of \$130 for a non-smission The balance due by 	Filing Dat filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ent, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.
 owever, are missing. Applied equired items and pay any sequired to accompanied. The statutory basic fill <i>Applicant must submisuch status (37 CFR</i>) The oath or declaration. To avoid abandonme of \$130 for a non-smise. The balance due by a sequence of \$130 for a non-smise. 	Filing Dat filing date have been accord cant is given TWO MONTH fees required below to avoid d by the extension fee unde ling fee is missing. it \$ 710 to complete the bas 1.27). on is missing. ont, a late filing fee or oath o all entity, must be submitted applicant is \$ 840.	te Granted ded to this application. The S from the date of this No d abandonment. Extensior r the provisions of 37 CFR sic filing fee and/or file a sr or declaration surcharge as d with the missing items id	tice within which to file all as of time may be obtained by 1.136(a). <i>mall entity statement claiming</i> a set forth in 37 CFR 1.16(e) entified in this letter.

TomTom Exhibit 1009, Page 23 of 92

PE 1 6 200 TRADE

PATENT APPLICATION

In the United States Patent and Trademark Office

Applicant:

Docket No.:

Date: April 16, 2001

Nathan Pyles

KNOWMO-6

09/756,647

2816

January 4, 2001

Application No.:

Filed:

Art Unit:

Examiner:

For: PEDOMETER

Certificate of Mailing I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 luni 2001 16 Signatu Jeffry W. Smith, Reg. No. 33455 Name of Applicant, assignee or **Registered Representative**

#13

TRANSMITTAL OF MISSING PARTS OF APPLICATION UNDER 37 C.F.R. §1.53

Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In response to the Notice of Missing Parts mailed February 15, 2001, enclosed are the

following items for filing in the above-referenced U.S. patent application:

1. A Declaration and Power of Attorney, executed by the Applicant(s) on April 13,

2001.

2. Copy of Notice to File Missing Parts of Nonprovisional Applciation.

3. A check in the amount of \$420.00 to cover the filing fee (37 C.F.R. §1.16(a) et

seq.), and the surcharge set forth in 37 C.F.R. §1.16(e).

Applicant: Nathan Pyles Application No.: 09/756,647

 Statement Claiming Small Entity Status – Small Business Concern (37 C.F.R. §§1.9(f) and 1.27(c).

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 15-0660. A duplicate copy of this document is enclosed.

2

Having now complied with all the requirements of 37 C.F.R. §1.53, Applicant(s) respectfully requests that this application be placed upon the files for examination.

Respectfully submitted,

Jefffy^bW. Smith, Reg. No. 33455 Attorney for Applicant LATHROP & CLARK LLP 740 Regent Street, Suite 400 P.O. Box 1507 Madison, Wisconsin 53701-1507 (608) 257-7766

TomTom Exhibit 1009, Page 25 of 92



Docket No.: KNOWMO-6

DECLARATION AND POWER OF ATTORNEY

E

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the investion entitled: PEDOMETER, the specification of which

- [] is attached hereto.
- [X] was filed on <u>January 4, 2001 as Application No. 09/756,647</u> and was amended on _____ (if applicable).

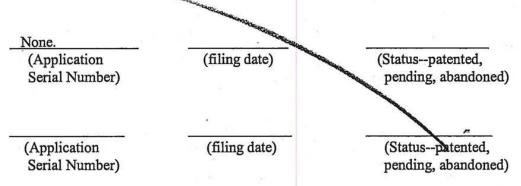
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as alreaded by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Ap	oplication(s)		Priority Claimed
None.			[] []
(Number)	(Country)	(Day/Month/Year Filed)	Yes No
			[] []
(Number)	(Gountry)	(Day/Month/Year Filed)	Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this

application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:



And I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number: 020,455

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole Inventor

Â.

Nathan Pyles

3

Inventor's Signature

Date Residence Citizenship Post Office Address

Lake Mills, Wisconsin United States of America 529 College Street, Lake Mills, Wisconsin 53551

TomTom Exhibit 1009, Page 28 of 92

1 10							
1				. Š.	Ĭ.		
а 1	i.			8 8			
	ina da Anna			î.,			
. د ر		5					
		CIBI			8.2	X	PTO/SB/10 (12
PR 1	6 20					stent any Temark (ved for use through 9/30/00. OMB 0651-0 Office; U.S. DEPARTMENT OF COMMENT
	1	6/	1				nless it displays a valid OMB control num
& TR	ST	(c))-SMALL BUSI			US (37 CFR	1.9(f) &	Docket Number (Optional) KNOWMO-6
	App	licant, Patentee, or Ider					_
		d or Issued: January 4,					tal Con Survey
		e: Pedometer					
	Lhe	reby state that I am					
		the owner of the small	business concern id	dentified be	low:		
		an official of the small	and the second se			f of the concern l	dentified below:
	8	one of the parties ider		-			
1		ene er ine parties ider		Section and a section of the section			
	NAN	ME OF SMALL BUSINE	SS CONCERN Knov	Mo, LLC d	/b/a Knowledge	e-In-Motion	_
		DRESS OF SMALL BUS	INESS CONCERN	529 College	Street PO	760 Lako Mil	le Wisconsin 53551
	ADL			- <u>.</u>			and the second sec
	13 0	CFR Part 121 for purpos	es of paying reduce	d fees to th	e United States	s Patent and Trac	business concern as defined in demark Office, in that the persons. For purposes of this
1	state	ement, (1) the number of	f employees of the t	ousiness co	ncern is the av	verage over the p	revious fiscal year of the
	cond	cern of the persons emp	oloyed on a full-time,	part-time,	or temporary b	asis during each	of the pay periods of the fiscal ncern controls or has the powe
		ontrol the other, or a thi	d party or parties co	ntrols or ha	is the power to	control both.	
	1000011	tlfied above with regard	to the invention des	cribed in:		to and remain w	ith the small business concern
		the specification filed I the application identifi		listed abov	е.		
		the patent identified al	CLUB THE THE POST OF THE POST				
	_	sector strategy and the	- ACTES	Simon			
	the in	anization having rights in invention are held by an	the invention must y person, other than ade the invention, or	file separat the invento by any cor	estatements a pr, who would r icern which wo	s to their status a not qualify as an i	ach individual, concern, or as small entities, and no rights t independent inventor under 37 a small business concern
		Each person, concern	n, or organization ha	ving any rig	hts in the inver	ntion is listed belo	ow:
	\boxtimes	no such person, conce	ern, or organization e	exists.			
		each such person, cor	cern, or organization	n is listed b	elow.		
					*		
		2. Variati in				98 - 615-	22 025 12 12 12 10 10 10 10 10 10 10 10 10 10 10 10 10
	stati	Separate statements ng their status as small			person, concer	n or organization	having rights to the invention
	entit	lement to small entity st	atus prior to paying,	or at the til	ne of paying, th	he earliest of the	in status resulting in loss of issue fee or any maintenance
	fee c	due after the date on wh	ich status as a smal	I entity is n	o longer approj	priate (37 CFR 1.	.28(b)).
				CONSCIENCE.			
	NAM	LE OF PERSON SIGNIN	G Jeffry W. Smith,	Reg. No	33455		_ N N N N
	ADD	DRESS OF PERSON SI	GNING Lathrop,& Clar	k LLP, 740 F	Regent St., Ste. 4	00, P.O. Box 1507.	- Madison, WI 53701-1507 Zeol
B	Burden	Hour Statement/This form is e	stimated to take 0.2 hours	to complete.	Time will vary depe	nding upon the needs	of the Individual case. Any comments or
N	NOT SE	END FEES OR COMPLETED	FORMS TO THIS ADDRES	SS. SEND TO	: Assistant Commis	sloner for Patents, Water	demark Office, Washington, DC 20231. ashington, DC 20231.
				14.1			
							8

TomTom Exhibit 1009, Page 29 of 92

	÷.	э¢	
			1 ⁴
			201 / W
1.5			- 81
		1	
Approved for use through 09/07/2000. CMB 020 Patent and Trademark Office: U.S. DEPARTMENT OF COME 020 Patent and Trademark Office: U.S. DEPARTMENT OF COME Patent and Trademark Office: U.S			
	· · · · · · · · · · · · · · · · · · ·		
OIPE	Seiler ??		
	ease type a plus sign (+) inside this box -> [+]	Approved for u Patent and Trademark Offic ns are required to respond to a co	PTO/SB/21 (6-98) se through 09/30/2000. OMB 0651-0031 se: U.S. DEPARTMENT OF COMMERCE pliection of Information unless it displays a
		Application Number	09/756.647
	TRANSMITTAL	Filing Date	
		First Named Inventor	
	NAT DAE A DAGANA A DA DAE AN		
			2810
	Tatal Number of Dance in This Submission		
	Total Number of Pages in This Submission	Attorney Docket Number	KNOWMO-6
0 2	And and an other statements of the second stat		And a second
X	X Fee Fee (for an A X Fee Attached Drawing Amendment / Response Licensin	Application) (s) g-related Papers	to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
	Affidavits/declaration(s) Petition Provision Extension of Time Request Power of Change	to Convert to a nal Application f Attorney, Revocation of Correspondence	Status Letter Additional Enclosure(s) (please identify below):
	Express Abandonment Request X Small Express Abandonment Request Information Disclosure Statement Request	ntity Statement	Parts of Nonprovisional
	Document(s) Remarks	1	
			- · · · · ·
			л. 14
	1.52 or 1.53		V
		CANT, ATTORNEY, OR A	GENT
	or Individual name Jeffry W. Smith, Reg. No. 3:	3455	
	Signature O'TD7W. South		
	Date Opil 16,2001		
		ATE OF MAILING	
	I hereby certify that this correspondence is being deposit	ted with the United States Po	stal Service a <u>s first class mail in an</u>
			10, 11, 700/
	Signature though and	Date	umil 16 001

	20 E			
1.1				-
•				
			D D	
12				
6 ² 2 2		-		
	and the second			
	·		~	
-	\sim		Y Y	
DIP.	E		14	
	SET .			
DD 1 C	9004 9		PTO/S	SB/17 (12/99
	2001 <u>出</u>		Approved for use through 09/30/2000, O Patent and Trademark Office: U.S. DEPARTMENT OF	COMMERCE
	Indersine Paperwork Reduction Act of 1995, no persons are require	red to r	espond to a collection of information unless it displays a valid OMB co	ontrol number
TRADEN	PEFTRANSMITTA		Complete if Known	
- ADCI		-	Application Number 09/756,647	
	for FY 2000		Filing Date January 4, 2001	
	Patent fees are subject to annual revision.		First Named Inventor Nathan Pyles	A2219
	Small Entity payments <u>must</u> be supported by a small entity state otherwise large entity fees must be paid. See Forms PTO/SB/	979-12.	Examiner Name	
	See 37 C.F.R. §§ 1.27 and 1.28.		Group / Art Unit 2816	
	TOTAL AMOUNT OF PAYMENT \$420.00		Attorney Docket No. KNOWMO-6	
	METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)	
	The Commissioner is berefy sutbodized to charge	2	ADDITIONAL FEES	
	1. IX indicated fees and credit any overpayments to:	Larg	e EntitySmall Entity	and with strat
	Deposit 15 0 cco	Fee		Fee Paid
	Account Number 15-0660	105		65.00
	Deposit	127	50 227 25 Surcharge - late provisional filing fee or cover sheet.	0.00
	Account Name LATHROP & CLARK LLP	139	130 139 130 Non-English specification	0.00
	Charge Any Additional Fee Required	147		0.00
	Under 37 CFR §§ 1.16 and 1.17	112	920* 112 920* Requesting publication of SIR prior to	0.00
	2. Payment Enclosed:		Examiner action 1.840* 113 1.840* Requesting publication of SIR after	0.00
	Check Money Other	113	Examiner action	0.00
	FEE CALCULATION	115	110 215 55 Extension for reply within first month	0.00
	1. BASIC FILING FEE	116 117	380 216 190 Extension for reply within accord month 870 217 435 Extension for reply within third month	0.00
	Large Entity Small Entity Fee Fee Fee Fee Fee Description		1,360 218 680 Extension for reply within fourth month	0.00
	Code (\$) Code (\$) Fee Paid	128		0.00
	101 690 201 345 Utility filing fee 355.00	119	Nation of Annual	0.00
	106 310 206 155 Design filing fee	120	300 220 150 Filing a brief in support of an appeal	0.00
	108 690 208 345 Reissue filing fee	121	260 221 130 Request for oral hearing	0.00
	114 150 214 75 Provisional filing fee	138	Batilian to review unconidable	0.00
	SUBTOTAL (1) (\$) 355.00	140	110 240 55 Petition to revive - unavoidable	0.00
	2. EXTRA CLAIM FEES	141		0.00
	Extra Claims Fee Paid	143	430 243 215 Design issue fee	0.00
	Total Claims 9 -20** = 0 × 9 = 0	144	580 244 290 Plant issue fee	0.00
	$\frac{\text{Independent}}{\text{Claims}} 2 - 3^{**} = 0 \times 40 = 0$	122	ANALY PREMARE PARTIES IN THE THE TAX AND A PROVIDED IN THE PART OF	0.00
	Multiple Dependent	123	50 123 50 Petitions related to provisional applications	0.00
	**or number previously paid, if greater, For Reissues, see below Large Entity Small Entity	126		0.00
	Fee Fee Fee Fee Fee Description Code (\$) Code (\$)	581	40 581 40 Recording each patent assignment per property (times number of properties)	0.00
	103 18 203 9 Claims in excess of 20	146	690 246 345 Filing a submission after final rejection	
	102 78 202 39 Independent claims in excess of 3	149	(37 ČFR § 1.129(a)) 690 249 345 For each additional invention to be	0.00
	104 260 204 130 Multiple dependent claim, if not paid		examined (37 CFR § 1.129(b))	0.00
	109 78 209 39 ** Reissue independent claims over original patent	Other	fee (specify)	0.00
	110 18 210 9 ** Reissue claims in excess of 20	in the second		e serves antes
	and over original patent	Other	fee (specify)	0.00
	SUBTOTAL (2) (\$) 0.00	Red	uced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 65.	00
			Complete (if applicable)	1
	Name (Print/Type) Jeffry W. Smith		Registration No. 22455 Telephone (COR) 257	7766
			(Attomey/Agent) 33433 (008) 23/	-1100
	Signature Affin In Smith		Date april 16	

5 4

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. Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

E. A.	- ally	
Sig.		
2001		
2001 円		
50	PTO/ Approved for use through 09/30/2000. O	SB/17 (1
MART	Patent and Trademark Office: U.S. DEPARTMENT Of	F COMME
	ed to respond to a collection of information unless it displays a valid OMB c Complete if Known	onvoi nui
(FEE TRANSMITTA		
for EV 2000	Application Number 09/750,047 Filing Date January 4, 2001	
for FY 2000 Patent fees are subject to annual revision.	First Named Inventor Nathan Pyles	
Small Entity payments must be supported by a small entity state	ment	
otherwise large entity fees must be paid. See Forms PTO/SB/0 See 37 C.F.R. §§ 1.27 and 1.28.	0016	
TOTAL AMOUNT OF PAYMENT (\$)420.00	Group / Art Unit 2810 Attorney Docket No. KNOWMO-6	
(0/420.00	Allothey Docker No. [KINO WINIO-0	
METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)	
1. X The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:	3. ADDITIONAL FEES Large EntitySmall Entity	
Deposit	Fee Fee Fee Fee Fee Fee Description	Fee Pa
Account 15-0660	105 130 205 65 Surcharge - late filing fee or oath	65.
Deposit	127 50 227 25 Surcharge - late provisional filing fee or	0.
Account LATHROP & CLARK LLP	cover sheet.	
Charge Any Additional Fee Required	139 130 139 130 Non-English specification 147 2.520 147 2.520 For filing a request for reexamination	0.
Under 37 CFR §§ 1.16 and 1.17	147 2,520 147 2,520 For hing a request for reexamination 112 920* 112 920* Requesting publication of SIR prior to	- Leev
2. Payment Enclosed:	Examiner action	0.
X Check Order Other	113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	0.
FEE CALCULATION	115 110 215 55 Extension for reply within first month	0
1. BASIC FILING FEE	116 380 216 190 Extension for reply within second month	0
Large Entity Small Entity	117 670 217 435 Extension for reply within third month 118 1,360 218 680 Extension for reply within fourth month	0
Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid	128 1,850 228 925 Extension for reply within fifth month	0.
101 690 201 345 Utility filing fee 355.00	119 300 219 150 Notice of Appeal	0
106 310 206 155 Design filing fee	120 300 220 150 Filing a brief in support of an appeal	0
108 690 208 345 Reissue filing fee	121 260 221 130 Request for oral hearing	0
114 150 214 75 Provisional filing fee	138 1,510 138 1,510 Petition to Institute a public use proceeding	0
SUBTOTAL (1) (\$) 355.00	140 110 240 55 Petition to revive - unavoidable 141 1,210 241 605 Petition to revive - unintentional	0
2. EXTRA CLAIM FEES	142 1,210 242 605 Utility issue fee (or reissue)	0
Extra Claims Fee Paid	143 430 243 215 Design issue fee	0
Total Claims 9 -20** = 0 × 9 = 0	144 580 244 290 Plant Issue fee	0
Independent 2 - 3** = 0 × 40 = 0	122 130 122 130 Petitions to the Commissioner	0
Multiple Dependent =0	123 50 123 50 Petitions related to provisional applications 126 240 126 240 Submission of information Disclosure Start	0
Large Entity Small Entity		0
Fee Fee Fee Fee Fee Description Code (\$) Code (\$)	property (times number of properties)	0.
103 18 203 9 Cialms in excess of 20	146 690 248 345 Filing a submission after final rejection (37 CFR § 1.129(a))	- 2-10
102 78 202 39 Independent claims in excess of 3	149 690 249 345 For each additional invention to be	0.
104 260 204 130 Multiple dependent claim, if not paid 109 78 209 39 ** Reissue independent claims	examined (37 CFR § 1.129(b))	0.
over original patent	Other fee (specify)	0.
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	Other fee (specify)	0.
SUBTOTAL (2) (\$) 0.00	Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 65.	.00
SUBMITTED BY	Complete (if spplicable)	
Name (Print/Type) Jeffry W. Smith	Registration No. (Attorney/Agent) 33455 Telephone (608) 257	-7766
Signature	Date Dir. Pir	1 1000 may 1

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.

X

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nathan Pyles

Filed: January 4, 2001

For: PEDOMETER

KNOWMO-6 Docket No .:

Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231

"Express Mail" Mailing Label No.: EL055846909US Date of Deposit: April 16, 2001

I hereby certify that these attached documents

- Response postcard
- Check in the amount of \$420.00
- PTO/SB 21 (1p) PTO/SB 17 (1p) and 1 copy
- Notice to File Missing Parts of Nonprovisional Application (1p)
- Transmittal of Missing Parts (2pp) and 1 copy Small Entity Statement Small Business Concern (1p)
- Executed Declaration and Power of Attorney (3pp)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 35 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

W. Smith, Reg. No. 33455)

Enclosed for filing please find the above-referenced documents. Please indicate receipt of these documents by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.

Respectfully submitted,

Jeffry W. Smith, Reg. No. 33455 Attorney for Applicant Lathrop & Clark LLP P.O. Box 1507 Madison, Wisconsin 53701-1507 (608) 257-7766

	10 m		- 42 -		
			<u>× 1</u>		
i e				×	5
		1. 1			
		č.			
				a second second second	
OIPE	\sum_{M}		$\frown , \frown)$		
		0			
JŪN 1 4 2001 副		DATION	FEGETICATIO	NT.	the
TRADEMAN	In the United Sta	PATEN ates Patent and Trad		<u>n</u>	try
Applicant:	Nathan Pyles		OGY CENTER 2800	- 	!
Docket No.:	KNOWMO-6		-1 4800	Certificate of Mailing I hereby certify that the	
Date:	June 6, 2001		the	rrespondence is being depor e United States Postal Servi ass mail in an envelope add	sited with ce as first ressed to:
Application No.:	09/756,647	Statistics .		ffice of Initial Patent Exam Customer Service Center, A	ssistant
Filed:	January 4, 2001		Or	Commissioner for Pater Washington, D.C. 202	
Art Unit:	2816	N.			
Examiner:				effry W. Smith, Reg. No.	
For: PEDOMETER			>	Name of Applicant, assig Registered Representa	

REQUEST TO CORRECT ERRONEOUS RECORD ON FILING RECEIPT

Office of Initial Patent Examination's Customer Service Center Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Responsive to the Filing Receipt received on May 31, 2001, Applicant hereby respectfully requests that the following error be corrected:

The Applicant's residence should be Lake Mills, WI.

A copy of the Filing Receipt with the change noted in red thereon is enclosed.

Respectfully submitted,

Jeffry W. Smith, Reg. No. 33455 Attorney for Applicant LATHROP & CLARK LLP 740 Regent Street, Suite 400 P.O. Box 1507 Madison, Wisconsin 53701-1507 (608) 257-7766

					1		;	15
10.15		- ji			3		Page 1 o	of 4
JUN 1 1 1		States Pater	nt and Trai	DEMARK O		RECEN	ONNICCIONER FOR DATENT	31
	APPLICATION NUMBER 09/756,647	FILING DATE 01/04/2001	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO KNOWMO-6	DRAWINGS	9 2	ב
	020455 LATHROP & CLARK 740 REGENT STREE P.O. BOX 1507 MADISON, WI 53701	LLP ET SUITE 400		СЕ 1 IUN - 4 2 LL		CONFII ATED FILING	RMATION NO. 705	

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Nathan Pyles, Lake Mills, WS;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/181,738 10/28/1998 PAT 6,175,608

Foreign Applications

If Required, Foreign Filing License Granted 01/31/2001

Projected Publication Date: 09/06/2001

Non-Publication Request: No

Early Publication Request: No

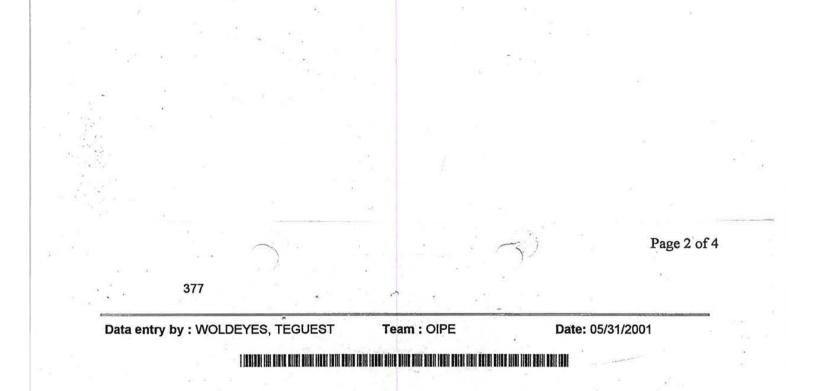
** SMALL ENTITY **

Title

Pedometer

Preliminary Class

TomTom Exhibit 1009, Page 35 of 92



					*s
				a1	
	· · · ·		-	5 X	
	N.				
	e				
			1		
	~~~			Par	- Sin
	- 2			> kec	eipi
PE					
11 - 45	Please type a plus sign (+) Inside this box -	→ □	Approved for a	PTO/SB/21 (6-98) use through 09/30/2000. OMB 0651-0031 ce: U.S. DEPARTMENT OF COMMERCE	En.
IN 1 1 2001		-	Patent and Trademark Offi ns are required to respond to a c	alloction of information unlose it displayed	
	valid OMB control number.		Application Number	10200	2 200
T& TRADEMAN		TA1		09/756,647 ° ° ° C	Ett C.
	TRANSMIT	IAL	Filing Date	January 4, 2001	CR2
×	FORM		First Named Inventor	Nathan Pyles	
	(to be used for all correspondence af	ter initial filing)	Group Art Unit	2816	
			Examiner Name		
	Total Number of Pages in This Subm	ission	Attomey Docket Number	r KNOWMO-6	7
г	<u></u>	ENCLOS	SURES (check all that app		4
ľ	Fee Transmittal Form	Assignm	ent Papers	After Allowance Communicatio	'n
	Fee Attached	Drawing	Application)	Appeal Communication to Boa	rd
		$\exists$		Appeal Communication to Grou	an
	Amendment / Response		g-related Papers Routing Slip (PTO/SB/69)	(Appeal Notice, Brief, Reply Brief)	· .
	After Final	and Acc	companying Petition	Proprietary Information	
	Affidavits/declaration(s)	Provisio	to Convert to a nal Application	Status Letter	
	Extension of Time Request	Power o Change Address	of Attorney, Revocation of Correspondence	X Additional Enclosure(s) (please identify below):	
	Express Abandonment Request		I Disclaimer	Request to Correct	
		Contraction of the second s	ntity Statement	Erroneous Record on Filin Receipt and copy of May	ng,
	Information Disclosure Statement		t for Refund	31, 2001 Filing Receipt	
	Certified Copy of Priority Document(s)	Remarks	The Commissioner is he	reby authorized to charge any	
			that may be required with	h respect to this communication,	or
	Response to Missing	credit any over	rpayment, to Deposit Acc	ount No. 15-0660.	
	Parts under 37 CFR 1.52 or 1.53	2			
F			CANT, ATTORNEY, OR	AGENT	-
ŀ	Firm			0	1
	or Individual name Jeffry W. Smith,	Reg. No 33	3455		ſ
. 1	Signature	/ . //		and a second	
ŀ	0				-
L	Date June 6, 200	p1			
(		CERTIFICA	ATE OF MAILING		
	i hereby certify that this correspondence envelope addressed to: Assistant Comm	Is being deposit hissioner for Pate	ted with the United States Po ents, Washington, D.C. 2023	ostal Service a <u>s first class mail in an</u> 1 on this date:	
ł	Typed or printed name Jeffry W. SI				
t	Signature Affrya	Suith	Date	June 6, 2001	J
· _	Burden Hour Statement: This form is estimated Any comments on the amount of time you ar Irademark Office, Washington, DC 20231. D Commissioner for Patents, Washington, DC 202	to take 0.2 hours	to complete. Time will vary dependent of the send be send	to the Chief Information Officer Patent a	se. nd
	Commissioner for Patents Washington, DC 20231, D	31.	20 ON COMPLETED FORMS	TO THIS ADDRESS. SEIND TU: ASSIST	arit
• 0					

All the local sectors			
· ·			
		1	
		1	
		1	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
	5. A. F.		- )
~\		1	4
的 Please type a plus sign (+) inside this box	→ [+]	Approved for a	PTO/SB/21 (6-98) ise through 09/30/2000. ONS-0551-0031/ ce: U.S. DEPARTMENT OF COMMERCE Dilection of Information unless It distance a
Under the Paperwork Reduction Ac valid OMB control number.	t of 1995, no perso	ons are required to respond to a c	200
Under the Paperwork Reduction Ac valid OMB control number.		Application Number	09/756,647
TRANSMIT	TAL	Filing Date	
FORM		First Named Inventor	
(to be used for all correspondence all	ter initial filloo)	Group Art Unit	Nathan Pyles
		Examiner Name	2816
		Star to a star star	
Total Number of Pages in This Subm	ission	Attorney Docket Numbe	KNOWMO-6
	ENCLO	SURES (check all that app	
Fee Transmittal Form	Assignm (for an	nent Papers Application)	After Allowance Communication to Group
Fee Attached	Drawing	g(s)	Appeal Communication to Board of Appeals and interferences
Amendment / Response	Licensir	ng-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final	Petition and Acc	Routing Slip (PTO/SB/69) companying Petition	Proprietary Information
Affidavits/declaration(s)	Petition	to Convert to a	Status Letter
		onal Application of Attorney, Revocation of Correspondence	
Extension of Time Request	Address	5	X (please identify below):
Express Abandonment Request		al Disclaimer	Request to Correct Erroneous Record on Filing
information Disclosure Statement	<b>H</b>	Entity Statement	Receipt and copy of May 31, 2001 Filing Receipt
Certified Copy of Priority	Reques	st for Refund	
Document(s) Response to Missing Parts/	Remarks		reby authorized to charge any
Incomplete Application		s that may be required with erpayment, to Deposit Acc	h respect to this communication, or ount No. 15-0660.
Response to Missing Parts under 37 CFR			
1.52 or 1.53	1 de la composición de la comp		**************************************
All and a second se	RE OF APPLI	CANT, ATTORNEY, OR	AGENT
Firm or		100 m	
Individual name Jeffry W. Smith		3455	
Signature	smith		
Date June 4, 20	01		
		ATE OF MAILING	
I hereby certify that this correspondence	e is being depos	ited with the United States Po	ostal Service a <u>s first class mail in an</u>
envelope addressed to: Assistant Com	nissioner for Pat	tents, Washington, D.C. 2023	1 on this date:
Typed or printed name Jeffry W. S. Signature		No. 33455	
Signature	the second s		Hunce, 2001 anding upon the needs of the individual case. to the Chief information Officer Patent and TO THIS ADDRESS. SEND TO: Assistant

 $\lambda$ 

APPLICATION NO.	FILING DATE	Patent and Address: COI	TATES DEPARTMENT OF COMMENT I Trademark Office MMISSIONER OF PATENTS AND TRADEMARKS shington, D.C. 20231
09/756,647		YLES	
020455 LATHROP & C 740 REGENT P.O. BOX 15 MADISON WI	STREET SUITE 4 07	MMC2/1113	以時所相知日二日、内 PAPER NUMBE DATE:MANLED:
			11/13/01

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

Commissioner of Patents and Trademarks

PTO-90C (Rev. 2/95) *U.S. GPO: 2000-473-000/44602

1- File Copy

	- I		
A second to account of the second sec			
-		~ i	
	전철 승규는 전 가지?	~) :	
	Application No.	Applicant(s)	
Office Action Summary	09/756,647		Pyles
Office Action Summary	Examiner	Art Unit	
	Wambac	h . 281	6.
The MAILING DATE of this communication ap	opears on the cover sheet w	with the correspondence	address -
Period for Reply	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		and the second
A SHORTENED STATUTORY PERIOD FOR REPLY IS	S SET TO EXPIRE 3	MONTH(S) FROM	۸
THE MAILING DATE OF THIS COMMUNICATION.	( 07 OFD 1 100 ( ) )	· · · · ·	
<ul> <li>Extensions of time may be available under the provisions o after SIX (6) MONTHS from the mailing date of this com</li> </ul>		ent, nowever, may a reply	be timely filed
- If the period for reply specified above is less than thirty (30		tutory minimum of thirty (	30) days will
be considered timely. - If NO period for reply is specified above, the maximum stat	tutory period will apply and w	ili expire SIX (6) MONTHS	from the mailing date o
communication. - Failure to reply within the set or extended period for reply	will by statute cause the an	lication to become ABAN	DONED /35 (19 C & 13
- Any reply received by the Office later than three months at			
earned patent term adjustment. See 37 CFR 1.704(b).		*	
Status 1) ·Responsive to communication(s) filed on			
The Responsive to communication(s) filed on			
2a) This action is FINAL. 2b) 🔯 Th	nis action Is non-final.	<b>7</b> - 11	
3) Since this application is in condition for allow	ance except for formal ma	atters, prosecution as	to the merits is
closed in accordance with the practice under			
Disposition of Claims			
4) 🔀 Claim(s) 1-9		is/are pending	in the application.
			wn from consideratio
5) 🔀 Claim(s) <u>7-9</u>		is/are allo	wed.
6) 🔀 Claim(s) <u>1</u>		is/are reje	ected.
7) 😡 Claim(s) <u>2-6</u>		is/are obj	ected to
8) Claims	are subj	ect to restriction and/	or election requireme
Application Papers			
9) The specification is objected to by the Examin	ner.	· · · · · · ·	10 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A
10) The drawing(s) filed on	is/are objected to by the	Examiner.	i e i e
11) The proposed drawing correction filed on			noroved
	and all all all all all all all all all al		pproved.
12) The oath or declaration is objected to by the	Examiner.	• 2	
Priority under 35 U.S.C. § 119			
13) Acknowledgement is made of a claim for fore	eign priority under 35 U.S	.C. § 119(a)-(d).	
a) All b) Some* c) None of:			
1. Certified copies of the priority document	ts have been received.	· ·	
2. Certified copies of the priority document		Application No	
3. Copies of the certified copies of the prio application from the Internationa	Bureau (PCT Rule 17.2(a	a)).	nai ştage
*See the attached detailed Office action for a list	of the certified copies no	t received.	
(4) Acknowledgement is made of a claim for dom	nestic priority under 35 U.	.S.C. § 119(e).	
			1. M. 1.
attachment(s)			
5) X Notice of References Cited (PTO-892)	18) 🗌 Interview Summary	en onder andere de Seren en en en e	
6) . Notice of Draftsperson's Patent Drawing Review (PTO-948)		Patent Application (PTO-152)	
7) Information Disclosure Statement(s) (PTO-1449) Paper No(s).	20) 🛄 Other:		
Patent and Trademark Office		· · · · · · · · · · · · · · · · · · ·	
	ice Action Summary		

TomTom Exhibit 1009, Page 40 of 92

Application/Control Number: 09/756647

Art Unit: 2816

### DETAILED ACTION

#### **Claim Objections**

1. Claims 4 and 7 are objected to because of the following informalities: "calculated" and

"signal", respectively, are misspelled. Appropriate correction is required.

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Sham et al:

Referring to Figure of Sham, an exercise monitoring device is taught which includes a strap for releasably securing the exercise monitoring device to a user (the strap connected to 14), a step counter (within 14) and a heart rate monitor (within 14) as recited in claim 1.

### Allowable Subject Matter

4. Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 7-9 are allowed.

Page 2

A:pplication/Control Number: 09/756647 Art Unit: 2816

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wambach whose telephone number is (703) 308-4875. The examiner can normally be reached on Monday-Thursday from 6:30 to 5p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Margaret R. Wambach Primary Examiner Page 3

				v X	1	Ĩ				
	5	and the second sec		13. A		an menamena Minaka	~			
1	7	······································	- Europer	1-043	Applicant/		1	plication/Ce	ntrol No.	
		Notice of Refere	nces Cited		Examiner	Pyles	11	Art Unit	9/756,64	47 .
		4.1		12		Wambach		2816		Page 1 of 1
				U.S. PA	TENT DOC	UMENTS				
		Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	*	-21D	Name				ssification ²
1	PA	5,891,042	4/1999		101	Sham et al.			600	483
_	В				2				1. 1.	7
	C		N	2						
_	D									
	E								<u>.</u>	
_	F					2		· · · · ·	1.	
1.5	н				-					
_	1				-			<del></del>	1	
	J		1					. "		
2	к				× 1.					
	L			-				· · ·	N	
	Ň		· · · · · · · · · · · · · · · · · · ·	-				• • •		
<			F	OBEIGN		CUMENTS	14	·	4	·
		Document Number Country Code-Number-Kind Code	Date MM-YYYY'		untry		Name		· Cla	ssification ²
			MM-TYTY	122	3012359.0					
	.N.:	Country Code-Number-Kind Code				· · · ·		÷.		
	N. 0	Country Caashumberking Code	/ 101039 CVX						· · ·	
	-			<u>.</u>				<del></del>		
	0				1	*		<del></del>		
	O P					*				
	0 P									
	O P Q R									
	O P Q R S			NON-PA	TENT DOC					
	O P Q R S	Include, as applicable: Auth				UMENTS				
	O P Q R S					UMENTS	65			
	O P R S T					UMENTS	65			
	O P R S T					UMENTS	85			
	O P Q R S T					UMENTS	es			
	O P R S T U V					UMENTS	65			
	O P Q R S T					UMENTS	65			
	O P Q R S T T U V W					UMENTS	es			
	O P R S T U V	Include, as applicable: Auth				UMENTS	65			

•	01PE	In the United States Pat	PATENT APPLICAT	JAN, -U VIS
	Applicant: Docket No.: Date: Application No.:	Nathan Pyles KNOWMO-6 November 19, 2001 09/756,647		Certificate of Mailing I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231
·\	Filed: Art Unit: Examiner: For: PEDOMETER	January 4, 2001 2816		On November 19, 2001 Signature Juffry W.S. The Jeffry W. Smith, Reg. No. 33455 Name of Applicant, assignee or Registered Representative

#### INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicant wishes to call the attention of the Examiner to the following documents:

### United States Patents

United States Patent No.	Issue Date	
4,053,755	10-11-1977	
4,144,568	03-13-1979	
4,192,000	03-04-1980	
4,220,996	09-02-1980	
4,223,211	09-16-1980	
4,334,190	06-08-1982	
4,337,529	06-29-1982	
4,367,752	01-11-1983	
4,371,945	02-01-1983	

Patentee Sherrill Hiller et al. Lipsey Searcy Allsen et al. Sochaczevski Morokawa Jiminez Karr et al.

Applicant: Nathan Pyles	
Application No.: 09/756,647	

4,387,437		06-07-1983
4,460,823		07-17-1984
4,466,204		08-21-1984
4,499,394		02-12-1985
4,510,704		04-16-1985
4,560,861		12-24-1985
4,566,461		01-28-1986
4,578,769		03-25-1986
4,649,552		03-10-1987
4,651,446		03-24-1987
4,703,445		10-27-1987
4,741,001		0,4-26-1988
4,763,287		08-09-1988
4,771,394		09-13-1988
4,814,661		03-21-1989
4,821,218		04-11-1989
4,830,021		05-16-1989
4,848,009		07-18-1989
4,855,942		08-08-1989
4,956,628		09-11-1990
4,962,469		10-09-1990
5,033,013		07-16-1991
5,065,414		11-12-1991
5,117,444		05-26-1992
5,164,967		11-17-1992
5,188,447		02-23-1993
5,285,586		02-15-1994
5,335,664		10-09-1994
5,361,778		11-08-1994
5,373,651		12-20-1994
5,456,262		10-10-1995
5,457,900		10-17-1995
5,475,725		12-12-1995
5,476,427		12-19-1995
5,485,402		01-16-1996
5,490,816		02-13-1996
5,491,474		02-13-1996
5,500,635		03-19-1996
5,516,334		05-14-1996
5,526,290	1	06-11-1996
5,539,706		07-23-1996
5,583,776		12-10-1996
5,611,621		03-18-1997
5,640,786		06-24-1997
5,689,099		11-18-1997
5,720,200		02-24-1998
5,720,200		02-24-1770

15

Lowrey et al. Ruehlemann Wu Koal Johnson Kato et al. Lubell et al. Frederick Yukawa Yukawa Dassler Ma Gerhaeuser et al. Cavanagh Ratzlaff Potsch Thornton Rodgers Bianco Furlong Ono et al. Kato et al. Endou et al. Sutton et al. Endo et al. Chiang Goldston Nagashima Seitz Wood Birnbaum Roy Nakamura Fujima Smith et al. Sakumoto Suni Mott Easton Kanzaki Takenaka Levi et al. Chien Buyayez Domburg Anderson

2

# TomTom Exhibit 1009, Page 45 of 92

Applicant: Nathan Pyles Application No.: 09/756,647

5,724,265 5,797,201 5,891,042 5,899,963 5,918,502 5,945,911 5,976,083 6,018,705 6,175,608 03-03-1998 10-25-1998 04-06-1999 05-04-1999 07-06-1999 10-31-1999 11-02-1999 01-25-2000 01-16-2001 Hutchings Huang Sham et al. Hutchings Bishop Healy Richardson et al. Gaudet et al. Pyles et al.

#### Foreign Patent Documents

Patent No. EP 0 119 009 A1 Publication Date ,19-09-1984 Patentee Frederick

### Other Documents

Form PCT/IPEA/408, Written Opinion received August 8, 2000, 5pgs.

Form PCT/ISA/210, International Search Report, 4pgs.

Sportsline Products, "Fitness Pedometer 360", web page, 1pg.

Sportsline Products, Fitness Pedometer 360 packaging label, 5 pgs.

Copies of these documents are submitted herewith along with Form PTO/SB 08a and/or PTO/SB 08b.

Applicant respectfully requests that these documents be expressly considered during the prosecution of this application and made of record herein and appear among the "documents cited" on any patent to issue herefrom.

Applicant: Nathan Pyles Application No.: 09/756,647

Respectfully submitted,

)§ H

Jefffy W. Smith, Reg. No. 33455 Attorney for Applicant LATHROP & CLARK LLP 740 Regent Street, Suite 400 P.O. Box 1507 Madison, Wisconsin 53701-1507 (608) 257-7766

# TomTom Exhibit 1009, Page 47 of 92

B/08A (10-01) DMB 0651-0031 SB/08A

6#

Approved for use through 10/31/2002 OUS, Patent and Trademark Office: U.S. DEPARTMENT OUS U.S. Patent and Trademark Office: U.S. DEPARTMENT Of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contain COMMERCE valid OMB

-7	Substitute	itute for form 1449A/PTO		· · ·	C C	omplete if Known	8
- 1	INFORMATION DISCLOSURE				Application Number	09/756.647	
- 11				SCLOSURE	Filing Date	01/04/2001	
	STA'	<b><i>TEMENT</i></b>	BY /	APPLICANT	First Named Inventor	Nathan Pyles	
- I					Art Unit	2816	
		use as many :	sheets a	s necessary)	Examiner Name	Wanbergh	
	Sheet	1	of	1	Attorney Docket Number	KNOWMO-6	

		U.S: PAT	ENTDOCUMENTS	(a. )		
Examiner Initials*	Cite No. ¹ Number-Kind Code ² (if known,	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
MW.	US-4.053.755	10-11-1977	Sherrill			
MRW	US-4,144,568	03-13-1979	Hiller et al.			
When.	US-4,192,000	03-04-1980	Lipsey			
new	US-4,220,996	09-02-1980		~		
Men	US-4,223,211		Allsen et al.			
men	US-4,334,190		Sochaczevski		N. I	
may	US-4,337,529	06-29-1982		1		
MP	US-4.367.752	01-11-1983	Jiminez			
ARW	US-4.371.945	02-01-1983				
heer	US-4.387.437	06-07-1983	Lowrey et al.			
Mas	US-4,460,823	07-17-1984	Ruehlmann			
MRW	US-4,466,204	08-21-1984	Wu			
hew	US-4,499,394	02-12-1985				
the	US-4,510,704	04-16-1985				
May	US-4,560,861	12-24-1985			1	
Mar	US-4,566,461	01-28-1986				
Ma	US-4,578,769	03-25-1986		and an and a second second		
Men	US-4,649,552	03-10-1987				
Men	US-4.651.446	03-24-1987				
Ma	US-4.703.445	10-27-1987		1999 (1999)	1	

_			F	ORE	IGN P.	ATENT D	OCUMENTS		
Cite No.1	ite			anown)	Publication Date MM-DD-YYYY		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
			3		09-1	9-1984	Frederick		F
			-		le said	1.2			
						dir.			-
							in the second		E
			11 11						-
		1.1.1						· · · · · · · · · · · · · · · · · · ·	F
		No.1 Country Code3 -Nun	Cite	Cite Foreign Patent Document No.1 Country Code3 -Number ⁴ -Kind Code ⁶ (#1	Cite Foreign Patent Document No.1 Country Code3 -Number ⁴ -Kind Code [®] (#known)	Cite Foreign Patent Document Publica No.1 Country Code3 -Number ⁴ -Kind Code ⁵ (#known) MM-D	Cite Foreign Patent Document Publication Date No.1 Country Code 3 -Number ⁴ -Kind Code ⁶ (Winnown) MM-DD-YYYY	Cite No.1 Country Code ³ -Number ⁴ -Kind Code ⁵ (#known) Country Code ³ -Number ⁴ -Kind Code ⁵ (#known)	Cite Foreign Patent Document Publication Date Name of Patentee or No.1 Country Code ³ -Number ⁴ -Kind Code ⁵ (Winnown) Publication Date MM-DD-YYYY Applicant of Cited Document or Relevant Figures Appear

Examiner Signature

buch

a

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

3

& TRADE	Substitute	or form 1449A/PTO		1.1.1.1	Co	mplete if l	Known
				Applicatio	on Number	09/756.64	47
		RMATION DIS	CLOSURE	Filing Dat		01/04/200	
	STAT	EMENT BY A	PPLICANT	First Nam	ed Inventor	Nathan P	vies
				Art Unit		2816	
	(u	se as many sheets as i	necessary)	Examiner			a 0 }
	Sheet	1 of	1	Attorney I	Docket Number	KNOWM	0-6
			8			1	
			U.S. PAT	ENT DOCU	MENTS		
	Examiner Cite Initials* No.	Document Number Number-Kind Code ² (If know	Publication Date MM-DD-YYYY		of Patentee or of Cited Documen		es, Columns, Lines, When vant Passages or Relevan Figures Appear
	mm	US-4,741.001	04-26-1988	Ma			
	wen	US-4,763,287	08-09-1988	Gerhaeus	ser et al.		V
	man	US-4.771.394	09-13-1988	Cavanau			
	ww	US-4.814.661	03-21-1989	Ratzlaff			
·\	men	US-4.821.218	04-11-1989	Potsch			4
	mar	US-4.830.021	05-16-1989	Thornton			
	men	US-4.848.009	07-18-1989	Rodgers			
	mm	US-4.855.942	08-08-1989	Bianco			
	Men	US-4.956.628	09-11-1990	Furlong			
	TRW	US-4.962.469	10-09-1990	Ono et al			
	- FRAN	US-5.033.013	07-16-1991	Kato et a	1		14 M
	Men	US-5.065.414	11-12-1991	Endou et	al.		
	Men	US-5.117.444	05-26-1992	Sutton et	al.		
	Men	US-5.164.967	11-17-1992	Endo et a	ıl		
	Men	US-5.188.447	02-23-1993	Chiang	-		
$\Lambda$	Mers	US-5.285.586	02-15-1994	Goldston			
1 M M	m	us-5.335.664	8 10-09-1994	Nagashin	na		
-	Mrw	US-5,361,778	11-08-1994	Seitz			
	Men	US-5.373.651	12-20-1994	Wood			
	men	US-5,456,262	10-10-1995	Birnbaun	1		

Date Considered Examiner 3/02 bach C Signature

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TRADE	The Paperwo	ork Reduction	on Act of 19	95, no persons are req	Approved U.S. Patent and Trademark uired to respond to a collection	for use through 10/31/2002 Office: U.S. DEPARTMENT	OF C	OMMERC	031 CE
-7	bstitute for for	rm 1449A/F	ото		C	omplete if Known	1	-it	7
					Application Number	09/756.647	1		
11	IFORM	ATIO	N DISC	CLOSURE	Filing Date	01/04/2001	1		
S	TATEN	IENT	BY AF	PLICANT	First Named Inventor	Nathan Pyles	1		
					Art Unit	2816	1		
S2.	(use a	s many s	heets as n	ecessary)	Examiner Name	Walson	1		
Sh	ant	1	of	1	Attorney Docket Number	KNOWMO-6		1	)

			U.S. PAT	ENT DOCUMENTS	1	
		<u>Document Number</u> Number-Kind Code ² (if known,	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		s, Columns, Lines, Where ant Passages or Relevant Figures Appear
TAC		US-5,457,900	10-17-1995	Rov		
then	/	US-5,475,725	12-12-1995	Nakamura		
Men		US-5,476,427	12-19-1995	Fuiima		
Maw		US-5.485.402	01-16-1996	Smith et al.		<i>n</i>
Mw,		US-5,490,816	02-13-1996	Sakumoto		
Hew		US-5.491.474	02-13-1996			
ven,		US-5,500.635	03-19-1996	Mott	5	
HRW		US-5,516,334	05-14-1996			
the		US-5.526.290	06-11-1996	Kanzaki		
YRW		US-5.539.706	07-23-1996			
Ma		US-5.583.776	12-10-1996	Levi et al.		
MRW		US-5.611.621		Chien		
m		us-5.640.786	06-24-1997	Buvavez		
MRW	1	us-5.689.099	11-18-1997	Domburg		
Yew		US-5,720,200	02-24-1998	Anderson		See Landerson
MEN		US-5,724,265	03-03-1998			
Men		US-5.797.201 🛠	10-25-1998	Huang		
Meu,		US-5,891.042	04-06-1999			
mw,		US-5,899,963	05-04-1999	Hutchings		
m	Level 1	US-5.918.502	07-06-1999	Bishop		

Furne

Examiner

Signature

G

lo

	-	FORE	IGN PATENT D	OCUMENTS		_
Examiner Initials*	Cite No.1	Foreion Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т
	M					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁸ Applicant is to piace a check mark here if English insugage Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Date Considered

EN	ator war	erwork Reduction Act of 199		-	<u> </u>		omplete if	N.
		r form 1449A/PTO			Applicati	on Number	09/756.0	
INF	FOR	MATION DISC	LOSUR	E	Filing Da		01/04/20	
ST	ATE	EMENT BY AP	PLICAN	Т	First Nan	ned Inventor	Nathan	
	lus	e as many sheets as ne	cessary)		Art Unit		2816	
-	1	<u> </u>	1		Examiner	Name Docket Number	wan	bach
Shee	t	1  of		ar at	Automey	DOCKEL NUMBER	IKNOW	VIO-0
			11.5	DAT	ENT DOCU	MENTS		
-	01	Document Number	INS DROUTS			of Patentee or	Pa	ages, Columns, Lines,
Examiner [ Initials*		Number-Kind Code ² (if known	Publication I MM-DD-YY			of Cited Docume		levant Passages or R Figures Appear
MAN		US-5,945,911		999	Healy	946 1946		
MRW	_	US-5,976,083		999	Richards			
WW	-	US-6.018.705	- VA AV	000	Gaudet e			
the		US-6,175,608 US-	01-16-20	JUL	Pyles et :	al.		~
-	-	US-					240.00	
		US-	1.0					
		US-						
-		US-		-			Sugar	<u> </u>
	-	US-	r					
		US-						
		US-	Marina		·			
		US-					<u></u>	
		US- US-	9	1.51				
	1.4	US-						
		US-	1 1	101		- A.		
	1.	US-						
		US-		-				
			FORE	IGN	PATENTD	OCUMENTS		1
Examiner		Foreign Patent D		Pub	lication Date	Name of P Applicant of Cl		Pages, Columns, L Where Relevant Pas
initiais*	No.1	Country Code 3 -Number ⁴ -Kinc	Code ⁵ (If known)	MN	I-DD-YYYY	Applicant of CI	ted Documen	n Relevant Figures
			1	-	-			
				-				1
						<u> </u>		
			1.00					
				_		N 10	1.	
				-	1			
				-				
			-					
<u> </u>						1.2.4	T	
Examin	er	Wantos	N			Date		3/000

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

1.0				i i i servi	
K)	A.	$\sim$		$\overline{}$	
TPA		2		1	
	6	vork Reduction Act of 1995, no persons are rec	Approved for	PTO/SB/08B or use through 10/31/2002. OMB 065	(10-01) i1-0031
1 5 2002	ontrol number.	work Reduction Act of 1995, no persons are rec	U.S. Patent and Trademark O uired to respond to a collection o	flice: U.S. DEPARTMENT OF COM f information unless it contains a vai	Id OMB
	Substitute for form	1 1449B/PTO	Co	mplete if Known	$\square$
DEMARKO	INFORM	ATION DISCLOSURE	Application Number Filing Date	09/756.647	
	STATEM	ENT BY APPLICANT	First Named Inventor Group Art Unit	Nathan Pyles	
	an and and and a set of the	as many sheets as necessary)	Examiner Name	N.	
•	Sheet	1  of   1	Attorney Docket Number	KNOWMO-6	$\leq$
		OTHER PRIOR ART NON F		Read and a second s	-
	Examiner Cite Initials* No.			te, page(s), volume-issue	T ²
	hadia		1 V	L	
	Meh	Form PCT/IPEA/408, Written	Opinion received Augu	st 8, 2000, 5pgs.	
2	mo	Form PCT/ISA/210, Internation	nal Search Report, 4pgs	5. <i>n</i>	
A	Me	Sportsline Products, "Fitness P	edometer 360", web pa	ge. 1pg.	
	Man				
	1 100	Sportsline Products, Fitness Pe	dometer 360 packaging	label, 5pgs.	<u> </u>
			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
				1 1011 - 012	
		1 - J.J. 3. 3	s Cala Contra		
		ан 1			
				1121-11-11-11-11-11-11-11-11-11-11-11-11	
			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
			1		<u> </u>
	Examiner Signature	Narbad	Date Con:	sidered 3/02	
*E	KAMINER: initial if re i not considered. in	eference considered, whether or not citation is clude copy of this form with next communication	in conformance with MPEP 609. In to applicant.	Draw line through citation if not in co	onformance
		ation designation number (optional). ² Applican	산 것 [12] 강 안 봐는 것 같아. 땅이 것이 많은 것은 것이다.	이 같은 것은 것 같은 것이 있는 것 같은 것 같은 것 같은 것 같은 것이 같은 것이 없는 것 않이	
	nments on the amo ice, Washington, DC shington, DC 20231	at: This form is estimated to take 2.0 hours to unt of time you are required to complete this 2 20231. DO NOT SEND FEES OR COMPLET	form should be sent to the Chie ED FORMS TO THIS ADDRESS	f Information Officer, U.S. Patent a S. SEND TO: Assistant Commission	nd Trademark er for Patents,

X

PATENT COOPE	
To: JEFFRY W. SMITH LATHROP & CLARK LLP ACTION Be	DATE: 075780 660 DATE: 075780 660
Applicant's or agent's file reference	(day/month/year)
EPIXINC-9 International application No. PCT/US99/25314 28 OCTOBER 199	
International Patent Classification (IPC) or both national classif IPC(7): GOIC 21/00 and US Cl.: 377/24.2	The stand and the stand of the second stand stands and the stand stands and the stand stands and the stands of
Applicant Epix, Inc.	
IV Lack of unity of invention	on
Authority to grant an extension, see Rule           How?         By submitting a written reply, accompanie           For the form and the language of the ame           Also         For an additional opportunity to submit an           For the examiner's obligation to consider a For an informal communication with the examiner.	d, where appropriate, by amendments, according to Rule 66.3. ndments, see Rules 66.8 and 66.9. mendments, see Rule 66.4. amendments and/or arguments, see Rule 66.4 <i>bis</i> . maminer, see Rule 66.6. nation report will be established on the basis of this opinion.

PA om the	TENT COOPE	RATION TREA		<u>₩</u> 2000
TERNATIONAL PRELIMINARY EXAM To: JEFFRY W. SMITH LATHROP & CLARK LLP 740 REGENT STREET, SUITE 4 P.O.BOX 1507 MADISON WI 53701-1507		₩	PCATHROP & O RITTEN OPINION (PCT Rule 66)	<u>LARK LLP</u>
	a da sera da sera Altas para da sera Altas da sera da sera	Date of Mailing (day/month/year)	N 1 MIG2000	
Applicant's or agent's file reference EPIXINC-9		REPLY DUE with from	in TWO months the above date of mailing	
International application No. PCT/US99/25314	International filing dat 28 OCTOBER 199	e (day/month/year) P	iority date (day/month/year) 28 OCTOBER 1998	
International Patent Classification (IPC) IPC(7): GOIC 21/00 and US Cl.: 37	or both national classifi 7/24.2	cation and IPC		
Applicant Epix, Inc.				
<ol> <li>This written opinion is the <u>first</u></li> <li>This opinion contains indications re I X Basis of the opinion</li> </ol>	elating to the following i		nal Preliminary Examining Aut	hónīty.
<ul> <li>2. This opinion contains indications realized in the indication of the opinion</li> <li>II Realized in the indication of the indi</li></ul>	elating to the following i f opinion with regard to ention	novelty, inventive step o rith regard to novelty, inv		
<ul> <li>2. This opinion contains indications realized in the indication of the opinion</li> <li>II Realized in the indication of the indi</li></ul>	elating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s	novelty, inventive step o rith regard to novelty, inv	r industrial applicability	
<ul> <li>2. This opinion contains indications realized in the indication of the opinion</li> <li>II X Basis of the opinion</li> <li>II Priority</li> <li>III Non-establishment of the indication of the indication</li></ul>	elating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s ited e international applicatio	novelty, inventive step of with regard to novelty, inv tatement	r industrial applicability	
<ul> <li>2. This opinion contains indications real I X Basis of the opinion II Priority</li> <li>III Priority</li> <li>III Non-establishment of IV Lack of unity of inv</li> <li>V X Reasoned statement citations and expland</li> <li>VI Certain documents of VII Certain defects in the VIII Certain observations</li> </ul>	elating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s ited e international application on the international app	novelty, inventive step of with regard to novelty, inv tatement	r industrial applicability	
<ul> <li>2. This opinion contains indications realized in the indication of the opinion of the indication of the opinion of the indication of the opinion of the indication of</li></ul>	elating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s ited e international application on the international app	novelty, inventive step of with regard to novelty, inv tatement on plication	r industrial applicability	ıbility;
<ul> <li>2. This opinion contains indications real I X Basis of the opinion II Priority</li> <li>III Priority</li> <li>III Non-establishment of IV Lack of unity of inv</li> <li>V X Reasoned statement citations and expland</li> <li>VI Certain documents of VII Certain defects in the VIII Certain observations</li> <li>3. The applicant is hereby invited to a When? See the time limit in Authority to grant the When? By submitting a weight of the See The See The See The time limit in Authority to grant the When? By submitting a weight of the See The S</li></ul>	clating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s itted e international application on the international application on the international application in the international application on the international application international application on the international application on the international application on the international application international application	novelty, inventive step of with regard to novelty, inv tatement on plication	r industrial applicability rentive step or industrial applica <del>piration of that time limit, requ</del>	ıbility; <del>est this</del>
<ul> <li>2. This opinion contains indications realized in the indication of the opinion of the indication of the opinion of th</li></ul>	clating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s ited e international application on the international application on the international application in extension., see Rule 4 itten reply, accompanies the language of the amen poortunity to submit am obligation to consider a mmunication with the co	novelty, inventive step of with regard to novelty, inv tatement on blication <del>56.2(d).</del> d, where appropriate, by dments, see Rules 66.8 a endments, see Rule 66.4 mendments and/or argum caminer, see Rule 66.4.	r industrial applicability rentive step or industrial applica <del>piration of that time limit, requ</del> amendments, according to Rule ad 66.9. ents, see Rule 66.4 <i>bis</i> .	ability; est this 66.3.
<ul> <li>2. This opinion contains indications realized in the indication of the opinion of the indication of the opinion of the indication of the opinion of the indication of</li></ul>	clating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) w ations supporting such s ited e international application on the international application on the international application on the international application internet above. The appli- mention of the amen portunity to submit am obligation to consider a munication with the or onal preliminary	novelty, inventive step of with regard to novelty, inv tatement on blication <del>56.2(d).</del> I, where appropriate, by dments, see Rules 66.8 a endments, see Rule 66.4 mendments and/or argum taminer, see Rule 66.6. ation report will be estab	r industrial applicability rentive step or industrial applica <del>piration of that time limit, requ</del> unendments, according to Rule ad 66.9. ents, see Rule 66.4 <i>bis</i> . lished on the basis of this opini	ability; est this 66.3.
<ul> <li>2. This opinion contains indications realized in the intermediate by which the intermed</li></ul>	clating to the following i f opinion with regard to ention under Rule 66.2(a)(ii) wations supporting such s ited e international application on the international application on the international application on the international application on the international application indicated above. The application method above. The application inten reply, accompanied inten reply, accompanied in extension., see Rule 4 itten reply, accompanied the language of the amount obligation to consider a muunication with the ex- onal preliminary shed according to Rule //US	novelty, inventive step of with regard to novelty, inventive ment on olication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blication blicati	r industrial applicability rentive step or industrial applica piration of that time limit, requ unendments, according to Rule ad 66.9. ents, see Rule 66.4 bis. lished on the basis of this opini	ability; est this 66.3.

							I	international	application	No.	
		<u>}.</u>	WRITT	EN OPINIC	)N			PCT/USS	9/25314		÷.
Bas	sis of the	opinio	n		12.1		L. Stra	• . • •	10	11 <u>1</u> . ] .	and the
TIES.				temational ap	a Vanti an 1	- A.	× 1.		s in the second		1.00
		181.1		n as origina		1.		en der de			
	the descr		1								
141	pages		1-23		. 11 Y	1 1 10 1 1 1 1	e î fi		,a\$	originally	v filed
	pages		NONE	est st			and the second		, filed w	ith the d	emand
S	pages		NONE		,	filed with th				1.19	
_				1997 - 11 1977 - 11	1.1		1		1. S. A.		
	the clain	1S:	24-34		<b>V</b> -				1.1		- 
	pages	2012 81-11-11-11-	NONE	et a la Parte de la		as amended	(together )	with any of		original	
	pages		NONE			A CANADA MANAGARANA A CANADA A	(iogenier )	AND COLOR PROPERTY OF	Contraction of the second second		
1.00	pages		NONE	, fi	iled with t	he letter of				adre.	1. J. L.
1.		9.12	14.11			1.0					di la
X	the draw	ings:		an a tha		х	and the second	11 A.			an a
1.20 M N	pages _		1	<u> </u>	Carlo A		<u> </u>	<u> </u>	, as	originall	y filed
	pages		NONE	and the second					, filed w	rith the d	emano
	pages	1. 1.		··· ···	, ^{II}	led with the	letter of _	a a			<u></u>
	the secur	nce lis	ting part of	the descript	ion:			5 Q			
	pages _		NONE		(*).			545 10	, as	originall	y filed
5.49	pages	$(x_i) \neq x_i$	NONE	a da da da a	and the second				, filed w		
	pages		NONE		, fi	led with the	letter of				1.
								ge			
			a translatio								
_	the langu	age of		on furnished	for the p	uposes of it	nternational	l search (u			2
	the langu the langu	age of age of	publication	on furnished a of the inte	for the permational	uposes of in application (	under Rule	l search (u 2 48.3(b)).	nder Rule	23.1(b)).	×.
	the langu the langu	age of age of	publication	on furnished a of the inte	for the permational	uposes of it	under Rule	l search (u 2 48.3(b)).	nder Rule	23.1(b)).	×.
	the langu the langu the langur or 55.3).	age of age of age of the any nu	publication the translation acleotide and	on furnished a of the inte a furnished fo <b>l/or amino a</b>	for the parational is	uposes of in application (	nternational funder Rule ational prelin	l search (u e 48.3(b)). minary exar	nder Rule	23.1(b)). nder Rule:	s 55.2
	the langu the langu the langur or 55.3).	age of age of age of the any nu	publication be translation	on furnished a of the inte a furnished fo <b>l/or amino a</b>	for the parational is	urposes of in application ( ses of interna	nternational funder Rule ational prelin	l search (u e 48.3(b)). minary exar	nder Rule	23.1(b)). nder Rule:	s 55.2
With draw	the langu the langu the langua or 55.3). I regard to wn on the	age of age of age of the any nu basis of	publication he translation acleotide and f the sequence	on furnished a of the inte a furnished fo l/or amino a	l for the purnational a rnational a or the purpo ncid sequen	upposes of in application ( ases of interna- ce disclosed i	nternational funder Rule ational prelin	l search (u e 48.3(b)). minary exar	nder Rule	23.1(b)). nder Rule:	s 55.2
. With draw	the langu the langu or 55.3). In regard to wh on the contained	age of under the second	publication the translation the sequence internation	on furnished a of the inte a furnished fo <b>Vor amino a</b> ce listing: nal applicati	l for the purnational i rnational i or the purpo ncid sequent	upposes of in application ( ases of interna- ce disclosed i	nternational funder Rule ational prelin	l search (u 2 48.3(b)). minary exar ational appl	nder Rule	23.1(b)). nder Rule:	s 55.2
. With draw	the langu- the langu- or 55.3). In regard to yn on the contained filed togo	age of age of the any nu basis of d in the ether w	publication the translation acleotide and the sequence internation ith the inte	on furnished a of the inte a furnished for <b>l/or amino a</b> ce listing: nal applicational app	I for the purposed of the purp	upposes of in application ( poses of interna- ce disclosed in ted form. n computer	nternational funder Rule ational prelin	l search (u 2 48.3(b)). minary exar ational appl	nder Rule	23.1(b)). nder Rule:	s 55.2
	the langu- the langu- or 55.3). In regard to vn on the contained filed togo furnished	age of age of the age of the basis of d in the ether w	publication the translation the sequence internation ith the inte quently to t	on furnished a of the inte a furnished fo <b>Vor amino a</b> ce listing: nal applicati rnational ap his Authori	I for the pur- mational i or the purpo acid sequent ion in prin oplication i ty in writt	upposes of in application ( asses of interna- ce disclosed in ted form. n computer en form.	nternational funder Rule ational prelin in the interna- readable fo	l search (u 2 48.3(b)). minary exar ational appl	nder Rule	23.1(b)). nder Rule:	s 55.2
	the langu the langua or 55.3). In regard to vin on the contained filed togo furnished	age of the any numbers of the an	publication the translation acleotide and f the sequence internation ith the inter quently to t quently to t	on furnished a of the inte a furnished fo d/or amino a ce listing: nal applicati mational ap his Authori his Authori	I for the parational in mational in or the parapoint acid sequent ion in print oplication in ty in writh ty in comp	urposes of in application ( uses of interna- ce disclosed in ted form. n computer en form. nuter readabl	nternational funder Rule ational prelin in the internation readable for le form.	l search (u 48.3(b)). minary exar ational appl orm.	nder Rule nination (u	23.1(b)). nder Rule: written op	s 55.2 i
	the langu- the langu- the langu- or 55.3). In regard to yn on the contained filed togo furnished furnished The state internatio	age of age of the any nu basis of d in the ether w d subsect subsect ment the nal app	publication the translation acleotide and the sequence internation ith the internation ith the internation ith the sequence quently to t quently to t quently to t quently to t	on furnished a of the inte a furnished for <b>lor amino a</b> ce listing: nal application rnational application his Authori bis Authori countly furnitied has been	I for the purport mational is or the purport acid sequent ion in print oplication is ty in writh ty in comp nished writh in furnished	arposes of in application ( best of interna- ce disclosed in ted form. In computer en form. outer readable outer readable en sequence	nternational funder Rule ational prelin in the interna- readable for le form. listing doe:	l search (u 2 48.3(b)). minary exam ational appl orm. s not go be	nder Rule nination (un ication, the	23.1(b)). nder Rule: written op	s 55.2 sinion v
	the langu- the langu- the langu- or 55.3). In regard to yn on the contained filed togo furnished furnished The state internatio	age of the age of the age of the any numbers of the age of	publication the translation acleotide and the sequence internation ith the internation ith the internation ith the sequence quently to t quently to t quently to t quently to t	on furnished a of the inte a furnished for <b>lor amino a</b> ce listing: nal application rnational application his Authori bis Authori countly furnitied has been	I for the purport mational is or the purport acid sequent ion in print oplication is ty in writh ty in comp nished writh in furnished	urposes of in application ( uses of interna- ce disclosed in ted form. n computer en form. outer readablen sequence	nternational funder Rule ational prelin in the interna- readable for le form. listing doe:	l search (u 2 48.3(b)). minary exam ational appl orm. s not go be	nder Rule nination (un ication, the	23.1(b)). nder Rule: written op	s 55.2 sinion v
	the langu- the langu- or 55.3). In regard to vin on the contained filed togo furnished furnished The state internatio The state been furn	age of the any numbers of the angle and the angle angle and the angle angle and the angle and thea	publication the translation acleotide and the sequence internation ith the internation ith the internation quently to t quently to t at the subsection as t at the inform	on furnished a of the inte a furnished for <b>lor amino a</b> ce listing: nal application rnational application his Authori bis Authori countly furnitied has been	I for the purpose mational is or the purpose acid sequent ion in prin oplication is ty in writh ty in comp hished writh a furnished ad in comp	urposes of in application ( sees of interna- ce disclosed in ted form. In computer en form. puter readable ter readable (	nternational funder Rule ational prelin in the interna- readable for le form. listing doe:	l search (u 2 48.3(b)). minary exam ational appl orm. s not go be	nder Rule nination (un ication, the	23.1(b)). nder Rule: written op	s 55.2 sinion v
	the langu- the langu- the langu- or 55.3). In regard to vin on the contained filed togo furnished furnished furnished The state- internatio The state- been furn The ame	age of the any numbers of the angle and the angle angle and the angle and the angle angle and the angle angl	publication the translation acleotide and the sequend internation ith the inter quently to t quently to t quently to t quently to t quently to t at the subsection as t at the inform the inform	on furnished a of the inter a furnished for <b>Nor amino a</b> ce listing: and application rnational applies and his Authori his Authori his Authori cquently furnished has been ation recorder ulted in the	I for the parational in or the parato acid sequent ion in print oplication in ty in writh ty in comp inshed writh in furnished ad in compu-	urposes of in application ( sees of interna- ce disclosed in ted form. In computer en form. puter readable ter readable (	nternational funder Rule ational prelin in the interna- readable for le form. listing doe:	l search (u 2 48.3(b)). minary exam ational appl orm. s not go be	nder Rule nination (un ication, the	23.1(b)). nder Rule: written op	s 55.2 sinion v
	the langu- the langu- or 55.3). In regard to who on the contained filed togo furnished furnished The state internatio The state been furn The ame X the	age of the age of the age of the any numbers of the angle and the age of the a	publication be translation acleotide and f the sequence internation ith the internation ith the internation ith the internation quently to t quently to t quently to t quently to t at the subsc lication as f at the inform ts have resu ption, page	on furnished a of the inter a furnished for <b>Nor amino a</b> be listing: and application rnational application this Authoric his Authoric bis Authoric cuently furnities ation recorder alted in the s	I for the purpose mational is or the purpose acid sequent ion in primi- oplication is ty in writh ty in compu- sished writh in furnishes ad in compu- cancellation E	urposes of in application ( sees of interna- ce disclosed in ted form. In computer en form. puter readable ter readable (	nternational funder Rule ational prelin in the interna- readable for le form. listing doe:	l search (u 2 48.3(b)). minary exam ational appl orm. s not go be	nder Rule nination (un ication, the	23.1(b)). nder Rule: written op	s 55.2 sinion v
	the langue the langue or 55.3). In regard to who on the contained filed togo furnished furnished The states internatio The states been furn The ame X the X the	age of the basis of the basis of the ther we have a subset of the subset of the subset of the subset of the age of the subset of the age of the	publication the translation of the sequence of the sequence the sequence internation ith the internation ith the internation quently to the quently the quently the quently to the quently the quently to the quently the quently the quently to the quently the quently the quently the quently the quently the quently the quen	on furnished a of the inter a furnished for d/or amino a ce listing: nal application rnational application rnational application rnational application rnational application rnational application rnational application rnational application recorder ation recorder ation recorder ation recorder ation recorder ation recorder ation recorder ation recorder	I for the para mational i or the parapo acid sequen ion in prin oplication i ty in writh ty in comp ished writt in furnisher ad in compu- cancellation E	urposes of in application ( sees of interna- ce disclosed in ted form. In computer en form. puter readable ter readable (	nternational funder Rule ational prelin in the interna- readable for le form. listing doe:	l search (u 2 48.3(b)). minary exam ational appl orm. s not go be	nder Rule nination (un ication, the	23.1(b)). nder Rule: written op	s 55.2 sinion v
	the langue the langue or 55.3). In regard to vin on the contained filed togo furnished furnished furnished The states been furn The ame X the X the This opin	age of the any numbers of the angle and the angle angle and the angle ang	publication the translation acleotide and the sequend internation ith the inter quently to the quently to the q	on furnished a of the inter a furnished for Nor amino a ce listing: and application rnational applies his Authori his Authori his Authori cauently furn filed has been ation recorder ulted in the s	I for the pupe mational i or the pupe acid sequen ion in prim oplication i ty in writh ty in comp ished writh a furnished ad in comp cancellation E E E	uposes of in application ( ases of interna- ce disclosed in ted form. In computer en form. auter readable in sequence inter readable ( on of:	aternational funder Rule ational prelin in the interna- readable for le form. listing does form is iden	l search (u e 48.3(b)). minary exar ational appl orm. s not go be ttical to the	nder Rule nination (un ication, the cyond the c writen sequ	23.1(b)). nder Rules written op lisclosure nence listi	s 55.2 inion v in the ng has
	the langue the langue or 55.3). In regard to vin on the contained filed togo furnished furnished furnished The states been furn The ame X the X the This opin	age of the any numbers of the angle and the angle angle and the angle ang	publication the translation acleotide and the sequend internation ith the inter quently to the quently to the q	on furnished a of the inter a furnished for Nor amino a ce listing: and application rnational applies his Authori his Authori his Authori cauently furn filed has been ation recorder ulted in the s	I for the pupe mational i or the pupe acid sequen ion in prim oplication i ty in writh ty in comp ished writh a furnished ad in comp cancellation E E E	uposes of in application ( ases of interna- ce disclosed in ted form. In computer en form. outer readable in sequence inter readable ( on of:	aternational funder Rule ational prelin in the interna- readable for le form. listing does form is iden	l search (u e 48.3(b)). minary exar ational appl orm. s not go be ttical to the	nder Rule nination (un ication, the cyond the c writen sequ	23.1(b)). nder Rules written op lisclosure nence listi	s 55.2 inion v in the ng has
	the langue the langue or 55.3). In regard to vin on the contained filed togo furnished furnished furnished The state: been furn The ame X the X the This opin beyond to accement sh	age of the any numbers of the basis of the there we have a subset of the age of the there we have a subset of the age of	publication the translation of the sequence internation ith the inter quently to the quently to	on furnished a of the inter a furnished for Nor amino a ce listing: and application rnational application rnation recorder rnation reco	I for the pupe mational i or the pupe acid sequen ion in prim oplication i ty in writh ty in comp ished writh a furnished d in comp cancellation E E E D) the amer d in the Sup	uposes of in application ( ases of interna- ce disclosed in ted form. In computer en form. auter readable in sequence inter readable ( on of:	aternational funder Rule ational prelin in the interna- readable for le form. listing does form is iden not been man ox (Rule 70.	l search (u e 48.3(b)). minary exar ational appl orm. s not go be ttical to the ttical to the de, since the 2(c)).	nder Rule nination (un ication, the cyond the d writen sequ	23.1(b)). nder Rules written op lisclosure nence listi	in the ng has

,

Ń

 $(\beta)$ 

*				
and the second se				
13	1 15			
			⁴³⁷ .	1. s.
			3 .	
•			International application	1 No.
WRITTEN OPINI	ON	Contraction of the	PCT/US99/25314	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
easoned statement under Rule 66.2(a) tations and explanations supporting s	(ii) with reg uch statem	gard to novelty, inv ent	entive step or industr	ial applicability;
tatement				n an
Novelty (N)	Claims	14-16, 28-54		YES
Noveny (N)	Claims	1-13 and 17-27	· · · · · · · · · · · · · · · · · · ·	NO
이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이	Cianns	_1-15 aud 17-27	a a the second	NO
Inventive Step (IS)	Claims	14, 16, 28-54	N 69	YES
	Claims	I-13 and 17-27		NO
	1 A A			
	S			1 A
Industrial Applicability (IA)	Claims	1-54		YES
	Claims	NONE		NO
	1. A.			
tations and explanations	* a.	* *		1.1
ms 1-13, 17-28 lack novelty under PCT Ar	ticle 33(2) as	being anticipated by	Hutchins.	2 A F
a rate at which strides are taken. ims 14-16 and 29-54 meet the criteria set of	ut in PCT Ar	ticle 33(2)-(4), because	taken by a stride length the the prior art does not the range of stride rate versu	each or fairly
a rate at which strides are taken. aims 14-16 and 29-54 meet the criteria set of ggest use of data input from runs or walks o	ut in PCT Ar	the number of strides t ticle 33(2)-(4), because	the prior art does not to	each or fairly
a rate at which strides are taken. sims 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o NEW CITATIONS	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
a rate at which strides are taken. aims 14-16 and 29-54 meet the criteria set or ggest use of data input from runs or walks o	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
a rate at which strides are taken. ims 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o NEW CITATIONS	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
a rate at which strides are taken. aims 14-16 and 29-54 meet the criteria set or ggest use of data input from runs or walks o NEW CITATIONS	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
a rate at which strides are taken. aims 14-16 and 29-54 meet the criteria set or ggest use of data input from runs or walks o NEW CITATIONS	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
a rate at which strides are taken. ims 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or test use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ins 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or set use of data input from runs or walks o <u>NEW CITATIONS</u> 5724265 (Hutchings) 03 MAR 1998, see er	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. as 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or sest use of data input from runs or walks o <u>NEW CITATIONS</u> 5724265 (Hutchings) 03 MAR 1998, see en	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. as 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. as 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
ate at which strides are taken. Is 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. as 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. as 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. Ins 14-16 and 29-54 meet the criteria set of est use of data input from runs or walks of NEW CITATIONS	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or set use of data input from runs or walks o <u>NEW CITATIONS</u> 5724265 (Hutchings) 03 MAR 1998, see er	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or test use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ins 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
ins 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o NEW CITATIONS	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ins 14-16 and 29-54 meet the criteria set or gest use of data input from runs or walks o 	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly
rate at which strides are taken. ms 14-16 and 29-54 meet the criteria set or sest use of data input from runs or walks o <u>NEW CITATIONS</u> 5724265 (Hutchings) 03 MAR 1998, see en	ut in PCT Ar ver known di	the number of strides t ticle 33(2)-(4), because stances to establish a p nt.	the prior art does not to	each or fairly

V.

					in the state
	WRITTEN OPINIC	Ň	International PCT/US9	application No.	
Sural and the Res		<u> </u>		//25314	
(To be used when	the space in any of the pred	ceding boxes is not suffic	ient)		
Continuation of:	Boxes I - VIII			Sheet	IO
TIME LIMIT:			an a		
The time after the expiration	limit set for response to a Wri of the time limit set in the Wr	tten Opinion may not be ext itten Opinion will not be co	ended. 37 CFR 1.4 nsidered in preparin	84(d). Any response re the International	ceived
Preliminary Examin	nation Report.			an a	
	n an				
이 같은 것이 같이 같이 같이 같이 않는 것이 같이 하는 것이 않는 것이 하는 것이 하는 것이 않는 것이 하는 것이 않는 않는 것이 않는					
an a' sain Baile an Saint					-
				2477.0-140.2	
					201
					Q - 1 - 8
1. N. 1.	18 A	1. A.			
	ೆ. ಕೆ. ಸಿ. ಸಿ	and the second second	·		Sec. 1
	an an said				
C BV					
					8
	가슴에 집 수준을			e ne di seli per se se	
			1. A. I.	na internetione Notatione	
					¢.
	· · · · · · · · · · · · · · · · · · ·				
*			882		
				er Sectore	1 1 1
2					

# TomTom Exhibit 1009, Page 57 of 92

## PATENT COOPERATION TREATY

# PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

5,8

pplicant's or agent's file reference PIXINC-9	FOR FURTHER see Notification ACTION (Form PCT/ISA	n of Transmittal of International Search Report V220) as well as, where applicable, item 5 below.
ternational application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
CT/US 99/25314	28/10/1999	28/10/1998
pplicant PIX, INC. et al.		
This International Search Report has b according to Article 18. A copy is being This International Search Report consis	een prepared by this international Searching A transmitted to the international Bureau.	uthority and is transmitted to the applicant
	by a copy of each prior art document cited in th	nia report.
1. Basis of the report		
a. With regard to the <b>language</b> , the language in which it was filed, the language in which it was filed, the language is the language in which it was filed.	he International search was carried out on the b unless otherwise indicated under this item.	pasts of the International application in the
the International search Authority (Rule 23.1(b))	was carried out on the basis of a translation o ).	f the international application furnished to this
was carried out on the basis of	and/or amino acid sequence disclosed in the the sequence listing : tional application in written form.	International application, the International search
filed together with the l	nternational application in computer readable for	om.
	to this Authority in written form.	
	to this Authority in computer readble form.	
the statement that the	subsequently furnished written sequence listing n as filed has been furnished.	does not go beyond the disclosure in the
the second s		n is identical to the written sequence listing has been
Certain claims were f	ound unsearchable (See Box I).	
Unity of invention is b		
With regard to the title,		
	submitted by the applicant.	
	lished by this Authority to read as follows:	1 64 S
-		
1	and the second second	*
. With regard to the abstract,	St	
X the text is approved as	submitted by the applicant.	
the text has been established within one month from the	vished, according to Rule 38.2(b), by this Author the date of mailing of this international search n	ority as it appears in Box III. The applicant may, eport, submit comments to this Authority.
. The figure of the drawings to be pu	iblished with the abstract is Figure No.	1
X as suggested by the ap	plicant.	None of the figures.
because the applicant f	alled to suggest a figure.	
because this figure bet	er characterizes the invention.	
m PCT/ISA/210 (first sheet) (July 1998)		and a second

	INTERNATIONAL SEAL	International Ap			
1 (A)	and the standard from		PCT/US 99	/25314	
PC 7	FICATION OF SUBJECT MATTER G01C22/00			· ·	
cording to	ntemational Patent Classification (IPC) or to both national	i classification and IPC			
	SEARCHED				
inimum do PC 7	cumentation searched (classification system followed by cl G01C	lassification symbols)			
	ion searched other than minimum documentation to the ext				
lectronic d	ata base consulted during the international search (name o	f data base and, where pra	ctical, search tenns used	Ŋ	
		1. 1. 1.	a		
		and the second			
	ENTS CONSIDERED TO BE RELEVANT	1		Delevente dele Ne	
ategory *	Citation of document, with indication, where appropriate,	of the relevant passages		Relevant to claim No.	
	US 5 033 013 A (KATO YASUJI 16 July 1991 (1991-07-16)	ET AL)		1-3,5-7, 13, 17-19, 21-23,49	
	column 7, line 25 - line 30 column 8, line 21 - line 28 abstract				
		et en s		14,29, 32,35, 37,44	
* e .;		-/			
a.					
V] 5-#	er documents are listed in the continuation of box C.	V Batart fe	amily members are listed	h annav	
<u> </u>	7	X Patent fa	any memory are store		
A" docume conside " earlier d filing di " docume which i citation O" docume other n P" docume	nt which may throw doubts on priority claim(s) or is cited to establish the publication date of another n or other special reason (as specified) int referring to an oral disclosure, use, exhibition or	or priority dai cited to unde Invention "X" document of p cannot be co Involve an im "Y" document of p cannot be co document is ments, such in the art.	It published after the Inte te and not in conflict with retand the principle or th particular relevance; the of meldered novel or cannot ventive step when the do particular relevance; the of meldered to involve an in combined to involve an in combined with one or mo combined with one or mo	the application but early underlying the be considered to cournert is taken alone staimed invention ventive step when the one other such docu- us to a person skilled	
1	actual completion of the international search		ng of the international se	arch report	
	March 2000		3/2000		
ame and m	hailing address of the ISA European Patent Office, P.B. 5818 Patentiaan 2 NL 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo ni, Fax: (+31-70) 340-3016	Authorized of Hunt			

1

. 1

	PCT/U		nal Application No S 99/25314	
C.(Continue Category *	ation) DOCUMENTS CONSIDERED TO BE RELEVANT Citation of document, with indication, where appropriate, of the relevant passages	к. <u>к</u> . Л. – – – – – – – – – – – – – – – – – – –	Relevant to claim No.	
X A	EP 0 119 009 A (NIKE INTERNATIONAL LTD) 19 September 1984 (1984-09-19) page 6		1,2,5-7, 13 14,17, 18, 21-23, 27,49	
	page 10 page 11		<i>1</i> 5	
X	US 4 371 945 A (KARR LAWRENCE J ET AL) 1 February 1983 (1983-02-01) cited in the application column 4, line 33 -column 5, line 26		1,2,6-8, 17	
X A	US 5 583 776 A (LEVI ROBERT W ET AL) 10 December 1996 (1996-12-10) column 6, line 6 - line 42; claim 14; figures 5,7		49,53,54 32,35, 44,50	
•2 1	abstract	"		
			a th' e g	
1				
			8 a 1 a 10	
	이 이상에 가장 가장 깨끗을 했다.			
1.1				
		1.1.1.1		
			1. A	
	- 1991 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011 : 2011			
			e de la companya de l	

# TomTom Exhibit 1009, Page 60 of 92

INTERNATIONAL SEARCH			4	the second se	Application No 99/25314
Patent document ited in search repor		Publication date	Patent fa membe		Publication date
JS 5033013	A	16-07-1991	JP 620	32936 A	12-02-1987
P 0119009	A	19-09-1984	CA 12	78769 A 18455 A 71564 A	25-03-1986 24-02-1987 28-09-1984
IS 4371945	A	01-02-1983	NONE		·
IS 5583776	A	10-12-1996	NONE		

3

Form PCT/ISA/210 (patient to

\$

ex) (July 1992)

ŝy

TomTom Exhibit 1009, Page 61 of 92

#### Sportline Products

Page 1 of 1

# Web page

### **FITNESS PEDOMETER 360**

The best double line display pedometer for walking, hiking and/or jogging. Accurately measures your distance, steps (including steps per minute and miles per hour), calories, speed, and time actually spent exercising. Seven (7) day memory keeps your activity for the past 7 days -- all instantly recallable. Time of day clock keeps you on time. Scan feature shows you all your information without having to push a button. Automatically shuts "off" when there's no activity, "on" when there is.

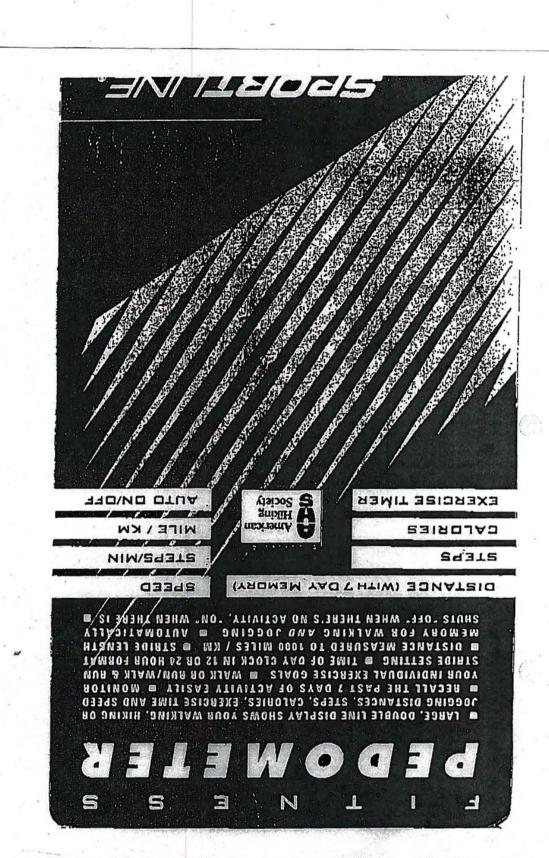


#### Features:

- New European design, easy-to-read flipcase design
- Displays distance traveled, steps, mph, steps per minute, and calories burned
- Distance measured to 1/100 of a mile (.01), steps to 10,000
- Distance and stride sets in mile (ML) and kilometers (KM)
- "Scan" feature automatically cycles through all functions and displays distance, steps, timer, calories, mph, steps per min., and time-of-day
- Individual stride adjustment for walking and running
- Automatic built-in sensitivity adjustment
- Large double display
- Push-button mode and selection buttons
- KM or MILE selectable

### Price: \$39.95

2 Year Warranty



NONOJ

ł

Prilingual

# FITNESS PEDOMENTER 360

# FI NESS PEDOMET R 360

WHAT ABOUT WALKING? Walking is one of the best forms of exercise. It burns calories, and it is easy on your joints. You can walk anywhere inside a mall, around your neighborhood, or up the side of a mountain. Walking can help you reduce your stress, make your muscles stronger, lower your blood pressure and cholesterol levels, prevent Type 2 diabetes, reduce your risk of heart disease, control your appetite and lose weight, feel and look better. Walking is a great way to get fit, especially if you're just starting to exercise. If you haven't exercised in a while, start out by walking briskly for 20 minutes, three times a week. Increase your time by a few minutes each walk until you can walk for 30 minutes, Aim to walk two miles or more in a half hour, three times a week and gradually increase your walking time and distance.

Inside



ΑFTER WARANIY ΙΙ Ότς «κειτολιγ ροποία ήρας «κρίναά από της υπίς ής τετωποία το δροσιδίου for servicing, αποίοσες 52.50 for postage από handling. Send your unit instruct to our Service Department listed before. If you are located outside the United States eithor ταίμνα τhe unit hy insured to out Service deolect distributor where purchased.

.7_

# SPORTLINE 360 FILMES SPECOO WETER INSTRUCTIONS

w pedometer has been designed for your easy use and the accurate measurement of the distance you travel (travel distance records up to 7 days in memory), the steps you take, the calories "Burned" while you walk or run, how long you exercise, what speed you walk or run, conver-sion of distance measurement from mile (MIL) to kilometer (KM) or kilometer to mile, and auto power on/off. Also included is a convenient Time-of-Day clock with 12 hour or 24 hour format to tell you what time it is. The unit will also measure your distance in miles/kilometers and fractions of miles/kilometers.

#### **EXPLANATION OF SYMBOLS**

Buttons Button A - RESET, H(HR), ▲ (UP), KM/MIL Button B + MIN (MINUTES) ▼ (DOWN) Button C · MODE

Display (upper window) STEP - You are in Step mode TIMER - You are in Count Up Timer mode CAL - You are in Caloria mode KM/H, MIL/H - You are in Speed per hour mode STEP/M - You are in Step per Minute mode 000 - You are in total Mileage/Kilometer mode Nothing or P. You are in Time of Day

Display (lawer window) WALK- You are in Walk & Run mode RUN - You are in Run /Stride measurement mode WALK & RUN - You are in Walk & Run stride setting mode

with 12 hour or 24 hour format Clock mode

- ▲ Pedometer is counting successfully ➡ You are in auto power OFF mode
- Numbers of distance traveled in MIL or KM (7 days records).

Note: Remove bettery isolation strip from battery compartment to "power up" your unit.

#### UNIQUE SCAN FEATURE

Your pedometer has a very unique scanning feature. After you turn on the pedometer the dis-play will be in STEP mode. Press "C" button once or repeatedly to show TIMER, CAL. KM/H or MIL/H, STEP/M and Timo of Day modes. When you return back to the STEP mode, it will be "blinking". You are now in the Auto-Scan mode. Now the display will automatically show the blinking words "STEP. TIMER. CAL, KM/H or MIL/H, STEP/M and Clock". The pedometer will now rotate through each one of these displays for 3 seconds sequentially as long as the auto-scan function is activated... or until you press the "C" button once more for new data setting or viewing.

#### HOW TO OPERATE YOUR NEW PEDOMETER

You will need to give your pedometer some information for it to operate properly. In the sec-tions below you will see how to enter your personal STRIDE LENGTH (for walking, hiking), your WEIGHT (for calories), and TIME OF DAY. Once this information has been entered into the unit, you're ready to go!

#### YOUR STRIDE LENGTH (Your stride length and how to measure it)

This pedameter automatically records your exercise distance based upon your walking or run-ning or hiking movements. The maximum distance reading is 999.99 miles/kilometers. The num-bers to the right of the decimal point are fractions of a mile (just like your car's odometer) right down to 1 /100 of a mile or kilometer. It is important to walk or run or hike consistently. If you vary your walking pace, your stride length will vary and your distance traveled will be diffe-rent.

#### HOW TO MEASURE YOUR STRIDE

In order to measure your exercise distance accurately, you must enter your stride length into the Pedometer's "memory" so it knows how much distance you cover with each step you take. [Stride length is the length of each one of your steps, measured either from heel to heel or toe to toe). It's easy to find your stride length!

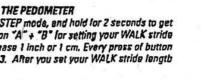
#### FOR WALKERS

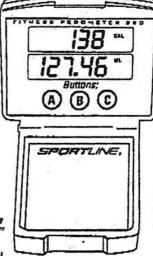
!

1. Walk 10 steps. 2 Measure the distance. 3. Divide by 10 the distance covered to arrive at your stride length. 4. Example: Distance covered in 10 steps = 30 feet. Steps taken to cover the distance (10 steps), 30 feet divided by 10 steps = 3 feet, stride length = 3 feet,

#### FOR JOGGERS OR HIKERS Follow the directions above, except jog or hike for 10 steps.

HOW TO ENTER YOUR "WALK" STRIDE LENGTH INTO THE PEDOMETER 1. Press the MODE button "C" on the display panel to STEP mode, and hold for 2 seconds to get to the WALK stride length setting mode. 2. Press button "A" + "B" for setting your WALK stride length information, every press of button "A" will increase 1 inch or 1 cm. Every press of button "B" will decrease 1 inch or 1 cm in the reverse order. 3. After you set your WALK stride length





# back to STEP mode automatically alter 5 seconds.

W TO ENTER YOUR "RUN" STRIDE LENGTH INTO THE DMETER. T. Press the MODE button "C" on the display panel to STEP mode, and hold for 2 seconds to WALK stride length selling mode, press MODE button "C" once again to get RUN stride length setting mode. 2 Press button "A" + "B" for setting your RUN stride length information (the same as above).

#### HOW TO SET CALORIE COUNTER

Press the MDDE button "C" and the display panel until you see CALORIE mode.
 Press MDDE button "C" and the display panel until you see CALORIE mode.
 Press MDDE button "C" and hold for 2 seconds to get WEIGHT setting mode.
 Press button "A"+"B" to setsyour weight information. Every press on button "A" increases the weight by 10 LB (pounds) or 4.5 KG (kilograms). Every press of button "B" decreases the weight by 10 LB (pounds) or 4.5 KG (kilograms).
 Once you set the proper weight, the display will blink for 5 seconds and then the display will skip back to CALORIE mode.

#### HOW TO SET TIME OF DAY

 Press the MODE button "C" on the display panel repeatedly to reach CLOCK mode.
 Press button "C" once and hold for 2 seconds to get 12 or 24 hour time setting mode. Press either button "A" or "B" once to set 12 hour time format or 24 hour time format. J. Press MODE button "C" once to get into CLOCK setting. Press button "A" for hour setting and "B" button for minute setting. After completing the setting, display will automatically go back to CLOCK mode after 5 seconds.

#### TO START YOUR EXERCISE

TO START YUOH EXERCISE T. Press "C" until the upper display will show STEP mode. Z. The display will show 00000 in the STEP mode in the upper display window (if numbers appear in either display, RESET the display by pressing "A" for 2 seconds), and 0.00 MIL or KM for distance on lower display window. J. Select WALK, RUN or WALK/RUN mode by pressing "C" button and holding it for 2 seconds for WALK, then pressing again quickly for RUN, pressing again for WALK/RUN, (Note: The WALK/RUN mode senses when you walk and uses the WALK stride, and uses the RUN stride when you win WMen you get the mode you wast sime wait for display to the binking. Being when you run.) When you get the mode you went, simply wait for display to stop blinking. Begin your exercise

#### TO RESET YOUR PEDOMETER

Press the RESET button "A" and hold for 2 seconds. The upper display and lower display will be reset to zero except the CLOCK mode and the previous 7 days distance travel records. TO RESET THE 7 DAY MEMORY press and hold "A" for 5 seconds. All the digits will show, Release "A". The memory will clear. However, this will also change MIL to KM, or KM to MIL Simply press and hold "A" for 5 seconds again to change back to your preferred (KM or MIL) distance measurement.

#### MILE / KILOMETER CONVERSION

To change from MILE to KILOMETER, press and hold RESET button "A" for 5 seconds. This will change STRIDE setting measurement from feet to cm (centimeters) as well.

#### HOW TO USE THE TIMER COUNTER

This pedameter accurately measures the time you spend exercising. When you stop, the timer stops. When you exercise, the timer runs. Press MODE button "C"on the display panel until you get to the TIMER mode for viewing the record of your exercise time.

#### DISTANCE COUNTER FUNCTION

This feature allows you to count the distance you travel during an exercise period, or all day if you wish. Your target should be to walk or jog 4 miles each day. Try it. 1. Press the MODE button "C" to get to STEP mode, Z. Press RESET button "A" and hold for Z

seconds and begin walking, running or hiking. The display will show DODDD and will begin to record your steps and distance.

#### DISTANCE WITH 7 DAY MEMORY & ODOMETER FUNCTION

This feature allows you to view the record of any day in miles or kilometers for 7 days. Starting from the 8th day, new data will automatically replace the memory of the 1st day recorded, and the 9th day will replace the 2nd day recorded... and so forth. Press and release button "A" to view each consecutive day's memory, and press button "B" to view each previous day's memory and total distance traveled "ODO" (like your car's odometer). Please note: You can complete your viewing of the 7 days activities and total distance before you return to the mein pedometer functions OR press "C" once to return to the main pedometer functions.

#### **SPEED FUNCTION**

This feature allows you to know what speed you travel per hour and how many steps per minute.

1. SPEED/HOUR: Press MODE button "C" repeatedly to locate SPEED mode to view speed function. The display will show MIL/H (mile per hour) or KM/H (kilometer per hour). 2. STEP/MINUTE: Press MODE button "C" once to advance to the next display STEP/M (step/minute) mode to view step per minute function.

#### AUTO POWER DN/OFF

¥

this unit will sutan stically "an to stong" when an .

DISTANCE COUNTER FUNCTION This feature allows you to count the distance you travel ing an exercise period, or all day if µ wish. Your target should be to welk or jog 4 miles eac. jy. Try it. 1. Press the MODE butten "C" to got to STEP mode. 2. Press RESET button." A" and hold for 2 seconds and begin welking, running or hiking. The display will show 00000 and will begin to recent wire stars and distance. record your steps and distance.

DISTANCE WITH 7 DAY MEMORY & ODOMETER FUNCTION This feature allows you to view the record of any day in miles or kilometers for 7 days. Starting from the 8th day, new data will automatically replace the memory of the 1st day recorded, and the 8th day will replace the 2nd day recorded... and so forth. Press and release button "A" to view each consecutive day's memory, and press button "B" to view each previous day's memory and total distance traveled "ODO" (like your car's odometer). Please note: You can complete your viewing of the 7 days activities and total distance balors you return to the main pedometer. your viewing of the 7 days activities and total distance before you return to the main pedometer functions OR press "C" once to return to the main pedometer functions.

#### SPEED FUNCTION

This feature allows you to know what speed you travel par hour and how many steps par minute.

1. SPEED/HOUR: Press MODE button "C" repeatedly to locate SPEED mode to view speed funcction. The display will show MIL/H (mile per hour) or KM/H (kilometer per hour). 2. STEP/MINUTE: Press MDDE button "C" once to advance to the next display STEP/M (step/minute) mode to view step per minute function.

#### AUTO POWER ON/OFF

To save battery power, this unit will automatically "go to sleep" when no activity has been detec-ted, for four (4) minutes. The lower display will show & whenever unit is not in use. HOW TO WEAR YOUR PEDOMETER

Your pedameter clips easily to your trousers or shorts. For best results keep the unit in line with the "crease line" of your trousers.

SENSITIVITY ADJUSTMENT

Everyone's walking style is different. This pedometer has an automatic sensitivity

adjuster that compensates for the different walking, running or jogging styles. BATTERY REPLACEMENT

1. The battery hatch is on the side of your pedometer. Slide open the bettery door with your finger to access the battery. 2. Replace battery with LR-44 type when display dims. 3. Reset the pedometer and resetter the WEIGHT / STRIDE length and CLOCK information. OTHER INFORMATION

1. Treat your pedometer with care and it will work most efficiently. 2. Pedometer is NOT waterproof, so keep it dry.

BUTTO Paperwork Reduction Act of 1995, no pers	$x \rightarrow +$	Appro U.S. Patent and Trade espond to a collection of informa	RECEIVED PTO/SB/21 (00 pyed for use through 10/31/2002. OMB 0651-0 mark offise: U.S. DEPARTMENT OF COMME ation unless it displays a valid OMB control num
		Application Number	09/755,647
TRANSMIT	TAL	Filing Date	January 4, 2001
FORM	3 U 4	First Named Inventor	Nathan Pyles
(to be used for all correspondence a	fter initial filing)	Group Art Unit	2816
		Examiner Name	
Total Number of Pages in This Sub	mission	Attorney Docket Number	er KNOWMO-6
	ENCI	OSURES (check	all that apply)
Fee Attached         Amendment / Reply         After Final         After Final         Affidavits/declaration(s)         Extension of Time Request         Express Abandonment Request         X         Information Disclosure Statement         Certified Copy of Priority         Document(s)         Response to Missing Parts/         Incomplete Application         Response to Missing Parts         under 37 CFR 1.52 or 1.53	Petition Petition Provisi Power Chang Addres Termin Reque CD, Nu Remarks additional fe	ng-related Papers n to Convert to a conal Application of Attorney, Revocation a of Correspondence al Disclaimer st for Refund umber of CD(s) The Commissioner is sees that may be required	Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Repty Brief) Proprietary Information Status Letter X Other Enclosure(s) (please identify below): PTO/SB 08a, PTO/SB 08 and 69 documents shereby authorized to charge any d with respect to this payment, to Deposit Account No.
	URE OF APPL	ICANT, ATTORNEY, OR	AGENT
Firm or Individual name Jeffry W. Smith Signature Affry W Date Normhe	S.H.		
I hereby certify that this correspondence is bein		ATE OF MAILING	vice with sufficient postage as first class
mail in an envelope addressed to: Commission			
Typed or printed name Jeffxy W. S Signature	Smith, Reg. No	. 33455	te Nonember 19, 2001

	r. ²²	1	
IPE	0		2815
JAN 1 5 2002 Under the Papervork Reduction Act	n (+) inside this box $\rightarrow$ + of 1995, no persons are required to r	Appro U.S. Patent and Trade espond to a collection of informa	PTO/SB/21 (08-0 wed for use through 10/31/2002. OMB 0651-003 mark Office: U.S. DEPARTMENT OF COMMER( tion unless it displays a valid OMB control numb
TRADEMARTS		Application Number	09/756,647
	ISMITTAL	Filing Date	January 4, 2001
F	ORM	First Named Inventor	Nathan Pyles
(to be used for all cor	rrespondence after initial filing)	Group Art Unit	2816
	·····	Examiner Name	
Total Number of Pa	ges in This Submission	Attorney Docket Number	r KNOWMO-6
			all that apply)
Fee Transmittal Form Fee Attached Amendment / Reply After Final Fextension of Time Reque Express Abandonment F X Information Disclosure S Certified Copy of Priority Document(s) Response to Missing Pa Incomplete Application Response to Missing Pa Sunder 37 CFR 1.5	tion(s) est Request Change Address Statement CD, Nu Remarks additional fe communicat	ng-related Papers to Convert to a bonal Application of Attorney, Revocation e of Correspondence al Disclaimer st for Refund umber of CD(s) The Commissioner is sees that may be required	to Group Appeal Communication to Board of Appeals and Interferences Appear Communication to Group (Appeal Natice, Brief, Reply Brief) Proprietary Information Status Letter X Other Enclosure(s) (please identify below): PTO/SB 08a, PTO/SB 08b and 69 documents thereby authorized to charge any d with respect to this payment, to Deposit Account No.
		ICANT, ATTORNEY, OR	
Firm or Individual name Jeff	fry W. Smith, Reg. No. 334	155	2002 IL ROOM
Signature Date	Alfry W Suit	1.	
	Spencher 19,2001		
I hereby certify that this correspo mail in an envelope addressed to		ATE OF MAILING ne United States Postal Serv shington, DC 20231 on this of	ice with sufficient postage as first class date:
Typed or printed name	Jeffxy W. Smith, Reg. No		e Nonember 19, 2001
Signature urden Hour Statement: This form is on the amount of time you are required	astimated to take 0.2 hours to complete	Dat . Time will vary depending upo t to the Chief Information Office	n the needs of the individual case. Any comment
C 20231. DO NOT SEND FEES OR	COMPLETED FORMS TO THIS ADD	RESS. SEND TO: Assistant Co	r, U.S. Patent and Trademark Office, Washingtor mmissioner for Patents, Washington, DC 20231.



### PATENT APPLICATION

In the United States Patent and Trademark Office

Applicant:

Docket No.: KNOWMO-6

Nathan Pyles

January 4, 2001

Date: February 13, 2002

Application No.: 09/756,647

Filed:

Art Unit: 2816

Examiner: M. Wambach

For: PEDOMETER

AMENDMENT

Box Responses-No Fee Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In response to a November 13, 2001 official action, Applicant makes the following

amendments and remarks. Reconsideration and allowance are respectfully requested. A marked-

15

up version of the amended claims is attached herewith as Exhibit A.

Please amend the application as follows:

### In The Claims

l

Please cancel claim 1 without prejudice.

2. (Amended.) An exercise monitoring device comprising:

a strap for releasably securing the exercise monitoring device to a user;

2/26/02 Almul L

11

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal

Service as Express Mail in an envelope addressed to: Box

Responses-No Fee, Assistant Commissioner for Patents,

Washington, D.C. 20231

Jeffry W. Smith, Reg. No. 33455 Name of Applicant, assignee or

**Registered Representative** 

Signature

# TomTom Exhibit 1009, Page 70 of 92

#### Applicant: Nathan Pyles Application No.: 09/756,647

in a

a step counter joined to the strap;

a heart rate monitor joined to the strap; and

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by the step counter by a stride length

that varies according to a rate at which steps are counted.

 $\frac{\gamma}{3}$ . (Amended.) An exercise monitoring device comprising:

a strap for releasably securing the exercise monitoring device to a user; a step counter joined to the strap;

a heart rate monitor joined to the strap; and

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by the step counter by a stride length that varies in accordance with a stride rate, wherein the stride length is determined with reference to a plurality of calibrations that each calculate a stride length as a function of a known stride rate.

 $3_{\text{M}}$  (Amended.) The exercise monitoring device of claim  $\beta$ , wherein the data processor is further programmed to recalibrate the stride length as a function of a subsequently calculated and known stride rate.

 $5_{\beta}$ . (Amended.) An exercise monitoring device comprising:

a strap for releasably securing the exercise monitoring device to a user;

a step counter joined to the strap;

a heart rate monitor joined to the strap; and

Applicant: Nathan Pyles Application No.: 09/756,647

un's

a data processor programmed to calculate a distance traveled by multiplying the number of steps counted by the step counter by a stride length that varies according to the rate at which steps are counted, and further programmed to derive the stride length from a range of stride lengths calculated from a range of corresponding stride rates calculated from a plurality of calibration samples.

a step counter;

a transmitter in communication with the step counter to generate a step count signal corresponding to each step and transmit the step count signal; a receiver mountable on a user body portion to receive the step count signal transmitted from the transmitter; and

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by a stride length that varies according to a rate at which steps are taken, and further programmed to derive an actual stride length from a range of stride lengths calculated from a range of corresponding stride rates.

#### Remarks

In the November 13, 2001 official action, claim 1 was rejected under 35 U.S.C. §102(b), claims 2 to 6 were allowable if amended to overcome an objection as being dependent from a rejected base claim, and claims 7 to 9 were allowed. Claims 4 and 7 were objected to as including misspelled words that are corrected by the above amendment.

Applicant: Nathan Pyles Application No.: 09/756,647

Claim 1 has been canceled without prejudice because although Applicant disagrees with the basis for rejection, it wishes to expedite prosecution and allowance of this application.

Claims 2, 3, and 6, which all depended from rejected claim 1, have been amended into an independent claim format to include all of the limitations of claim 1. These claims are now believed to be allowable.

Claims 4 and 5 depended from claim 3, and require no amendment to overcome the objection because claim 3 is now in independent format. Claims 4 and 5 are, therefore, believed to be allowable.

Claims 7 to 9 were allowable and require no amendment or comment.

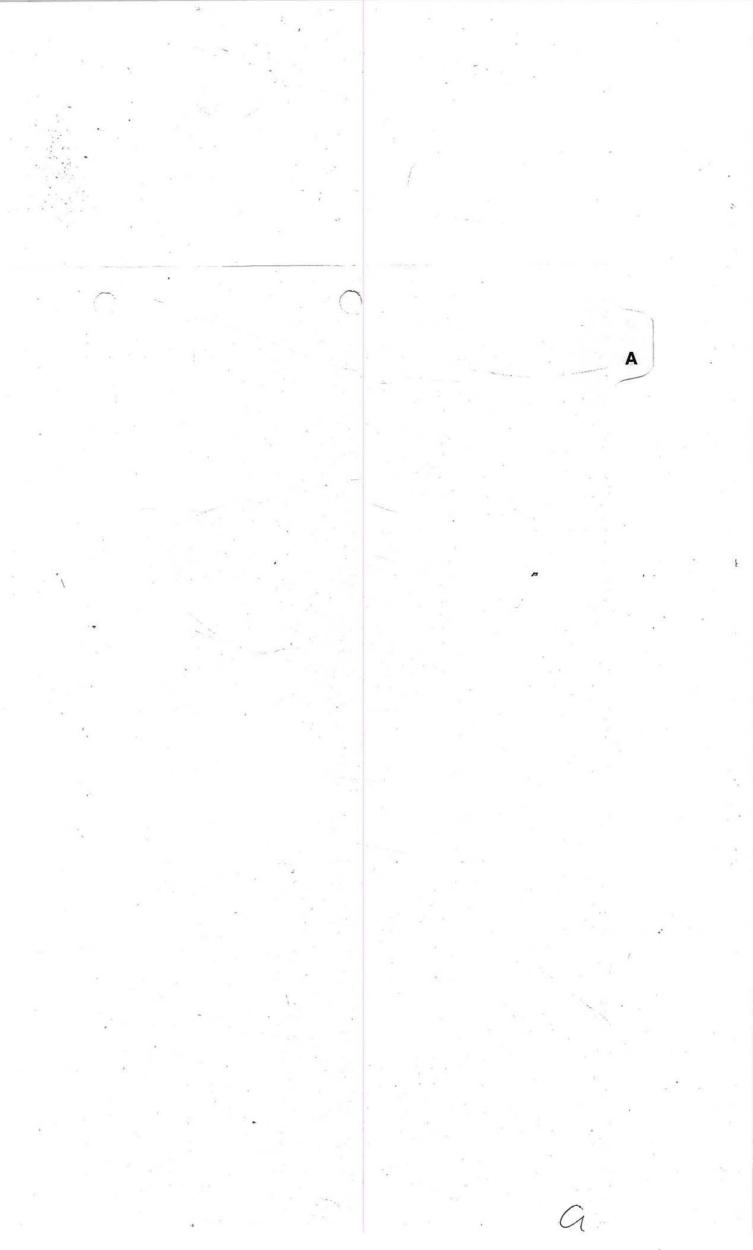
### Conclusion

For the foregoing reasons, claims 2 to 9 are in allowable form. Applicant requests that this case be passed to issue.

Respectfully submitted,

Jéfffy^IW. Smith, Reg. No. 33455 Attorney for Applicant LATHROP & CLARK LLP 740 Regent Street, Suite 400 P.O. Box 1507 Madison, Wisconsin 53701-1507 (608) 257-7766

G



Applicant: Nathan Pyles Application No.: 09/756,647

(Amended.) <u>An exercise monitoring device comprising:</u>
 a strap for releasably securing the exercise monitoring device to a user;

a step counter joined to the strap;

a heart rate monitor joined to the strap; and

[The exercise monitoring device of claim 1, and further comprising:]

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by the step counter by a stride length-

that varies according to a rate at which steps are counted.

3. (Amended.) An exercise monitoring device comprising:

a strap for releasably securing the exercise monitoring device to a user;

a step counter joined to the strap;

a heart rate monitor joined to the strap; and

[The exercise monitoring device of claim 1, and further comprising:]

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by the step counter by a stride length that varies in accordance with a stride rate, wherein the stride length is determined with reference to a plurality of calibrations that each calculate a stride length as a function of a known stride rate.

4. (Amended.) The exercise monitoring device of claim 3, wherein the data processor is further programmed to recalibrate the stride length as a function of a subsequently <u>calculated</u> [calculted] and known stride rate. 6. (Amended.) An exercise monitoring device comprising:

a strap for releasably securing the exercise monitoring device to a user; a step counter joined to the strap;

a heart rate monitor joined to the strap; and

[The pedometer of claim 1, and further comprising:]

a data processor programmed to calculate a distance traveled by multiplying the number of steps counted by the step counter by a stride length that varies according to the rate at which steps are counted, and further programmed to derive the stride length from a range of stride lengths calculated from a range of corresponding stride rates calculated from a plurality of calibration samples.

### 7. (Amended.) A pedometer comprising:

a step counter;

a transmitter in communication with the step counter to generate a step count signal corresponding to each step and transmit the step count <u>signal</u> [singal]; a receiver mountable on a user body portion to receive the step count signal transmitted from the transmitter; and

a data processor programmed to calculate a distance traveled by multiplying a number of steps counted by a stride length that varies according to a rate at which steps are taken, and further programmed to derive an actual stride length from a range of stride lengths calculated from a range of corresponding stride rates.

## TomTom Exhibit 1009, Page 76 of 92

			5 X
		4	
			8
1 - 1			
a a 6 ° ° ° °		18	
(YE)	1		
0	02	- 14-02	SP 2816
		A 194 105.	27 2010
JAN 1 3 2002			
ease type a pius sign	n (+) Inside this box $\rightarrow$ [+]		APTO/SB/21 /08/001
TENTS TRADEMAN		Appro	ved for use through 10/31/2002. OMB 0651-0031
Under the Paperwork Reduction Ac	ct of 1995, no persons are required t	o respond to a collection of informa	ved for use through 10/31/2002, OMB 0651-0031 nark Office: U.S. DEPARTMENT OF COMMERCE tion unless it displays a valid OMB control number.
		2 SAL 14 2020 20	6 5 10
		Application Number	09/756,647
TRAN	ISMITTAL	Filing Date	T 1 0001
		T ming Duto	January 4, 2001
1 F	ORM	First Named Inventor	Nathan Pyles
		0	
(to be used for all co	rrespondence after initial filing)	Group Art Unit	2816
		Examiner Name	
	·····	LAdminer (value	M. Wambach
Total Number of Pa	ges in This Submission	Attorney Docket Numbe	r KNOWMO-6
	ENIC		
		LOSURES (check	all that apply)
Fee Transmittal Form		ment Papers	After Allowance Communication
		n Application)	Appeal Communication to Board
Fee Attached	Draw	ing(s)	of Appeals and Interferences
X Amendment / Reply	Licen	sing-related Papers	Appeal Communication to Group
X Amendment / Reply			(Appeal Notice, Brief, Reply Brief)
After Final	Petiti	'n	Proprietary Information
	이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이 이	on to Convert to a	
Affidavits/declara	A CONTRACTOR CONT	sional Application	Status Letter
	Powe	r of Attorney, Revocation ge of Correspondence	Other Enclosure(s) (please
Extension of Time Requi	est Addre	ISS	identify below):
	NO IN CONTRACTOR	nal Disclaimer	
Express Abandonment F	Request Requ	est for Refund	
Information Disclosure S	Statement CD,	Number of CD(s)	
Certified Copy of Priority	,		
Document(s)	Remarks	The Commissioner is he	ereby authorized to charge any
Response to Missing Pa	additional fe	그는 그는 것 같은 것 같은 것이 있는 것이 가지 않는 것을 많이 가지 않는 것이다.	th respect to this communication, or
Incomplete Application		verpayment, to Deposit Acc	
Response to Miss	sing Parts		
under 37 CFR 1.5	52 or 1.53	*	
	2 ,		
	SIGNATURE OF APP	LICANT, ATTORNEY, OR	AGENT
Firm			
or			14
Individual name Jef	fry W. Smith, Reg. No	. 33455	
Signature	1. 15.4	-	
	May work	S 5	
Date 1	- V		
1	ebruary 13,2002		Same in the second s
	CERTIE	CATE OF MAILING	
I hereby certify that this correspondent of the mail in an envelope addressed to	oncence is being deposited with o: Commissioner for Patente M	the United States Postal Servic ashington, DC 20231 on this d	ce with sufficient postage as first class
Typed or printed name	Jeffry W. Smith, Reg.	No. 33455	
Signature	18th Wsite	Date	e February 13, 2002
Burden Hour Statement: This form is e	stimated to take 0.2 hours to complete	te. Time will vary depending upon	the needs of the individual case. Any comments
on the amount of time you are required DC 20231. DO NOT SEND FEES OR C	a to complete this form should be s COMPLETED FORMS TO THIS ADD	ent to the Chief Information Officer, RESS. SEND TO: Assistant Comr	the needs of the individual case. Any comments , U.S. Patent and Trademark Office, Washington, missioner for Patents, Washington, DC 20231.
			ತಿ ಕಾಡಲಾಗಿ ಬಿ. ಸಾಹಿತಿ
			CI
	•	1	
	5		
XV.			

# TomTom Exhibit 1009, Page 77 of 92

	*		
. 8			
27 The second se			
· 7			
1. A.			
			-
TPE			$\gamma$ · · ·
Cen .			
N 1 3 2002 B	. —		
bease type a plus sign (+) inside this	$box \rightarrow +$	Appro	PTO/SB/21 (08-00) ved for use through 10/31/2002. OMB 0651-0031
BADEMALE The Paperwork Reduction Act of 1995, no	persons are required to a	U.S. Patent and Tradem	hark Office: U.S. DEPARTMENT OF COMMERCE tion unless it displays a valid OMB control number.
(		Application Number	09/756,647
TRANSMI	TTAL	Filing Date	January 4, 2001
FORM		Lan summer assertions	0 2
	ATTAN A NU MAY ANNA INI	First Named Inventor	Nathan Pyles 4 8
(to be used for all correspondenc	e aner initial filing)	Group Art Unit	2816
		Examiner Name	M. Wambach
Total Number of Pages in This	Submission	Attorney Docket Number	KNOWMO-6
	ENCL	OSURES (check	all that apply)
Fee Transmittal Form		nent Papers Application)	After Allowance Communication
Fee Attached	Drawing		Appeal Communication to Board of Appeals and Interferences
X Amendment / Reply	Licensi	ng-related Papers	Appeal Communication to Group
After Final	Petition	8	(Appeal Notice, Brief, Reply Brief)
Affidavits/declaration(s)	12 (12 (12 (12 (12 (12 (12 (12 (12 (12 (	to Convert to a	Proprietary Information
		of Attorney, Revocation of Correspondence	Status Letter
Extension of Time Request	Addres	5	Other Enciosure(s) (please identify below):
Express Abandonment Request		al Disclaimer	
	Reques	t for Refund	
Information Disclosure Statement	CD, NL	mber of CD(s)	
Certified Copy of Priority Document(s)	Remarks	The Commissioner is he	ereby authorized to charge any
Response to Missing Parts/		s that may be required wit	h respect to this communication, or
Incomplete Application	credit any ove	rpayment, to Deposit Acc	ount No. 15-0660.
under 37 CFR 1.52 or 1.53			
SICK		CANT, ATTORNEY, OR	AGENT
Firm		Sall, ALIGANEL, UK	
or Individual name Teffry W St	nith, Reg. No. 1	33455	
Signature Signature	S:#	55-55	
400-700	Gue		
Date Februari	+ 13,2002		
	CERTIFIC	ATE OF MAILING	
I hereby certify that this correspondence is b mail in an envelope addressed to: Commissi	eing deposited with the	e United States Postal Servic	ce with sufficient postage as first class
	. Smith, Reg. N		
Signature	W Strate	0. 33455	e February 13, 2002
Burden Hour Statement: This form is estimated to tal	e 0.2 hours to complete		
Burden Hour Statement: This form is estimated to tal on the amount of time you are required to complete DC 20231. DO NOT SEND FEES OR COMPLETED	this form should be sen	t to the Chief Information Officer.	U.S. Patent and Trademark Office. Washington.

×		×			A	
² 06	8					
	2 -					
The second						
			1 A A		¥.	
1.1.1						
				18	<b>z</b>	
		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			$\sim$	
SUIT AMO TO		1	1 - 1 - 1 - 2		-)	
THE LIN	TED STATES PAT	TENT AND TO	DEMARK OFFICE		Patiete	
BU FT31F3 IN ANUS				Washingto www.uspt	SIONER OF PATENTS AND on, D.C. 20251 o gov	A
020455 LATHROP &	7590 03/19/2		ALLOWANCE A		r r	A
LATHROP & 740 REGENT S	7590 03/19/2 CLARK LLP TREET SUITE 400		ALLOWANCE A		JE	NER
LATHROP & 740 REGENT S P.O. BOX 1507	7590 03/19/2 CLARK LLP TREET SUITE 400		ALLOWANCE A		UE	NER
LATHROP & 740 REGENT S	7590 03/19/2 CLARK LLP TREET SUITE 400		ALLOWANCE A		JE Examin WAMBACH, M	NER ARGARET R
LATHROP & 740 REGENT S P.O. BOX 1507	7590 03/19/2 CLARK LLP TREET SUITE 400		ALLOWANCE A	ND FEE(S) DI	UE EXAMI WAMBACH, M ART UNIT	NER ARGARET R CLASS-SUBCLASS
LATHROP & 740 REGENT S P.O. BOX 1507	7590 03/19/2 CLARK LLP TREET SUITE 400		ALLOWANCE A	ND FEE(S) DI	UE EXAMIN WAMBACH, M ART UNIT 2816	NER ARGARET R CLASS-SUBCLASS
LATHROP & 740 REGENT S P.O. BOX 1507 MADISON, WI	7590 03/19/2 CLARK LLP TREET SUITE 400 537011507			ND FEE(S) DI	UE EXAMIN WAMBACH, M ART UNIT 2816 4AILED: 03/19/2002	NER ARGARET R CLASS-SUBCLASS 377-024200
LATHROP & 740 REGENT S P.O. BOX 1507 MADISON, WI APPLICATION NO. 09/756,647	7590 03/19/2 CLARK LLP TREET SUITE 400 537011507 FILING DATE 01/04/2001		FIRST NAMED INVENTOR	ND FEE(S) DI	UE EXAMIN WAMBACH, M ART UNIT 2816 MAILED: 03/19/2002 ITTORNEY DOCKET NO.	NER ARGARET R CLASS-SUBCLASS 377-024200 CONFIRMATION NO.
LATHROP & 740 REGENT S P.O. BOX 1507 MADISON, WI	7590 03/19/2 CLARK LLP TREET SUITE 400 537011507 FILING DATE 01/04/2001		FIRST NAMED INVENTOR	ND FEE(S) DI	UE EXAMIN WAMBACH, M ART UNIT 2816 MAILED: 03/19/2002 ITTORNEY DOCKET NO.	NER ARGARET R CLASS-SUBCLASS 377-024200 CONFIRMATION NO. 7058

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED.</u> 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 <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY</u> <u>PERIOD CANNOT BE EXTENDED</u>. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

If the SMALL ENTITY is shown as NO:
A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. 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.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box 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.

Page 1 of 3

PTOL-85 (REV. 07-01) Approved for use through 01/31/2004.

PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

Box ISSUE FEE Assistant Commissioner for Patents Washington, D.C. 20231

maintenance fee notification	S,				E (if required). Blocks 1 throu es will be mailed to the current s; and/or (b) indicating a sepa	
	90 03/19/	y mark-up with any corrections or 2002	use Block 1)	Note: The certifica mailings of the Fee other accompanying or formal drawing, r	te of mailing below can on (s) Transmittal. This certifica g papers. Each additional pap must have its own certificate of	ly be used for domestic te cannot be used for any er, such as an assignment f mailing.
740 REGENT STR P.O. BOX 1507 MADISON, WI 53				I hereby certify the United States Postal envelope addressed indicated below.	Certificate of Mailing at this Fee(s) Transmittal is Service with sufficient postag to the Box Issue Fee add	being deposited with the te for first class mail in an tress above on the date
						(Depositor's name)
			•			(Signature)
	_		1		*	(Date)
APPLICATION NO.	FILING DATE	. 1	FIRST NAMED INVEN	TOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,647	01/04/2001		Nathan Pyles		KNOWMO-6	7058
TITLE OF INVENTION: PE	DOMETER				~	
x						
TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION F	FEE TOTAL FEE(S) DUE	DATE DUE
	nonprovisional	NO	\$1280	\$300	\$1580	06/19/2002
EXAMIN	the second se	ART UNIT	CLASS-SUBCI			
WAMBACH, MA	ARGARETR	2816	377-02420	0		
Address form PTO/SB/12 The Address indication PTO/SB/47) attached. 3. ASSIGNEE NAME AND PLEASE NOTE: Unless at	n (or "Fee Address" RESIDENCE DATA	TO BE PRINTED ON T	registered pater is listed, no nam HE PATENT (print c		If no name	when an assignment has
been previously submitted (A) NAME OF ASSIGNEE				on of this form is NOT Y and STATE OR CO		nment.
Please check the appropriate	assignee category or	categories (will not be pri	nted on the patent)	🛛 individual 🔾	corporation or other private gr	oup entity Q government
4a. The following fee(s) are a	enclosed:	×	Payment of Fee(s):			
Issue Fee				t of the fee(s) is enclos d. Form PTO-2038 is		
 Publication Fee Advance Order - # of Co 	nine		Standard States			redit any overpayment, to
	jpies	— Der	posit Account Numbe	r(charge the required fee(s), or c (enclose an extra copy of this f	orm).
application identified above.	PATENTS AND TRA	ADEMARKS is requested	to apply the Issue Fe	e and Publication Fee	(if any) or to re-apply any pre-	viously paid issue fee to the
(Authorized Signature)		(Date)			1. A.	
NOTE; The Issue Fee and other than the applicant; a interest as shown by the rec	Publication Fee (if registered attorney ords of the United St	required) will not be acc or agent; or the assigne ates Patent and Trademark	e or other party in office.	6		
Burden Hour Statement; Th depending on the needs of t to complete this form shou and Trademark Office, Wa FORMS TO THIS ADDI Assistant Commissioner for	his form is estimated the individual case. A ld be sent to the Ch shington, D.C. 2023 RESS. SEND FEES Patents, Washington	to take 0.2 hours to comp ny comments on the amo ief Information Officer, 1 1. DO NOT SEND FEES 5 AND THIS FORM TO 1, D.C. 20231	lete. Time will vary unt of time required Jnited States Patent OR COMPLETED O: Box Issue Fee,	9	2	
Under the Paperwork Rec collection of information ur						
р			THIS FORM WITH	FEE(S)		
PTOL-85 (REV. 07-01) App	proved for use throug			133 C 0100 M 0400	Office; U.S. DEPARTMENT	OF COMMERCE
Cardinana Sanata Interna						
· · · · · · · · · · · · · · · · · · ·						

199 B					
		e ¹⁴ 8			
2 · · · ·			94 - 14 - 14 - 14 - 14 - 14 - 14 - 14 -		
		1.21		-	. ·
and the second second					
UNITE UNITE	ED STATES PATEN	it and Trademark (UN Uni	ITED STATES DEPARTMENT OF CO ited States Patent and Trademark O ress: COMMISSIONER OF PATENTS AND	ffice
			UN Uni Add	ited States Patent and Trademark O ress: COMMISSIONER OF PATENTS AND Washington, D.C. 20231 www.uspto.gov	MG6 TRADEMARKS
APPLICATION NO.	ED STATES PATEN FILING DATE		UN Uni	ited States Patent and Trademark O ress: COMMISSIONER OF PATENTS AND Washington, D.C. 20231	ffice
		FIRST NAM	UN Uni Add	ited States Patent and Trademark O ress: COMMISSIONER OF PATENTS AND Washington, D.C. 20231 www.uspto.gov	Mee Trademarks
APPLICATION NO. 09/756,647	FILING DATE 01/04/2001	FIRST NAMI Natha	UN Uni Add	Ited States Patent and Trademark O ress: COMMISSIONER OF PATENTS AND Washington, D.O. 20231 www.uspto.gov ATTORNEY DOCKET NO.	TRADEMARKS CONFIRMATION NC 7058
APPLICATION NO. 09/756,647 020455 75 LATHROP & CL	FILING DATE 01/04/2001 90 03/19/2002 ARK LLP	FIRST NAMI Natha	UN Uni Add	Ised States Patent and Trademark O ress: COMMISSIONER OF PATENTS AND Washington, D.C. 20231 www.uspto.gov ATTORNEY DOCKET NO. KNOWMO-6	TRADEMARKS CONFIRMATION NO 7058 NER
APPLICATION NO. 09/756,647 020455 75 LATHROP & CL 740 REGENT STR	FILING DATE 01/04/2001 90 03/19/2002 ARK LLP	FIRST NAMI Natha	UN Uni Add	Ited States Patent and Trademark O ress: COMMBSIONER OF PATENTS AND Washington, D.O. 20231 www.uspto.gov ATTORNEY DOCKET NO. KNOWMO-6 EXAMIN	TRADEMARKS CONFIRMATION NO 7058 NER
APPLICATION NO. 09/756,647 020455 75 LATHROP & CL	FILING DATE 01/04/2001 90 03/19/2002 ARK LLP EET SUITE 400	FIRST NAMI Natha	UN Uni Add	Ited States Patent and Trademark O ress: COMMIBSIONER OF PATENTS AND Washington, D.C. 20251 www.uspto.gov ATTORNEY DOCKET NO. KNOWMO-6 EXAMD WAMBACH, M.	CONFIRMATION NO 7058 VER ARGARET R

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

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

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) system. (http://pair.uspto.gov)

Page 3 of 3

PTOL-85 (REV. 07-01) Approved for use through 01/31/2004.

TomTom Exhibit 1009, Page 81 of 92

31 1					
	÷				
1 . A.		*			
i not					
				1.0.8	
				:)	10 10
5		Applica	ation No.	Applicant(s)	(a)
		09/756,	647	PYLES, NATHA	N
Noti	ce of Allowability	Examin	and the second se	Art Unit	
				0040	
	an en ar grann an ar and	Margar	et R Wambach	2816	-
 ☑ This communica ☑ The allowed cla ☑ The drawings fil 	ed on <u>04 January 2001</u> are acc	<u>/13/02)</u> . epted by the Examir	ner.	<i>(</i> 2)	8
	nt is made of a claim for foreign		5.C. § 119(a)-(d) or	(1).	
a series and a	Some* c) None of the priority docur		coived	· · · ·	
	tified copies of the priority docur			n No	
	ies of the certified copies of the				lication from the
an anna an an an an	nternational Bureau (PCT Rule	Section 20	nave been received	nin this hational stage app	lication from the
* Certified copies		17.2(a)).			12
	t is made of a claim for domesti	ic priority under 35 U	J.S.C. § 119(e) (to a	provisional application).	
	lation of the foreign language pi	- 19 M 19			*
	t is made of a claim for domesti				
	MONTHS FROM THE "MAILING y comply will result in ABANDO				
A SUBSTITUTE	OATH OR DECLARATION mu PPLICATION (PTO-152) which	ist be submitted. No gives reason(s) wh	te the attached EXA y the oath or declar	MINER'S AMENDMENT ation is deficient.	or NOTICE OF
	RAWINGS must be submitted.				S
- A stable of the second second free second s	nanges required by the Notice o	f Draftsperson's Pat	ent Drawing Review	v (PTO-948) attached	
1) 🗌 here	eto or 2) 🔲 to Paper No				
(b) including ch	nanges required by the propose	d drawing correction	n filed, whic	h has been approved by ti	ne Examiner.
(c) 🔲 including ch	nanges required by the attached	i Examiner's Amend	ment / Comment or	in the Office action of Pa	oer No
identifying indicia su of each sheet. The c	uch as the application number (se frawings should be filed as a sep	ee 37 CFR 1.84(c)) sho arate paper with a tra	ould be written on th Insmittal letter addre	e drawings in the top marg ssed to the Official Draftsp	In (not the back) erson.
	and/or INFORMATION about mment regarding REQUIREME				d. Note the
achment(s)					
] Notice of Draftpers] Information Disclos	es Cited (PTO-892) son's Patent Drawing Review (P sure Statements (PTO-1449), P ent Regarding Requirement for ial	aper No	4 Interview 6 Examine	Informal Patent Application Summary (PTO-413), Part's Amendment/Comment r's Statement of Reasons	per No for Allowance
			2		
				Margaret R Wa Primary Examir Art Unit: 2816	
					1

Page 2

Application/Control Number: 09/756,647 Art Unit: 2816

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: None of the references of record teach an exercise monitoring device comprising the data processing limitations included in the dependent claims.

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."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Margaret R Wambach whose telephone number is (703) 308-4875. The examiner can normally be reached on Tues-Thurs 3-6pm.

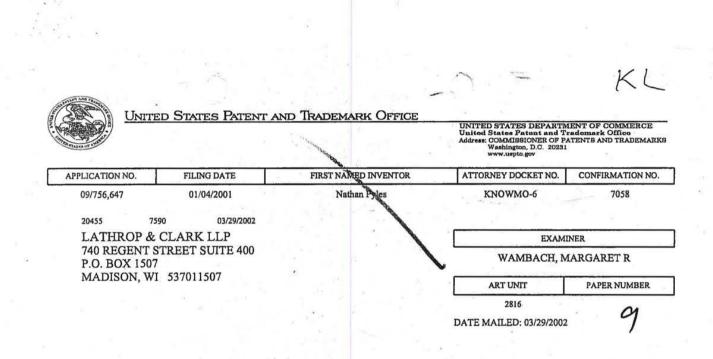
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on (703) 308-4876. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-93 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

mondon

Margaret R Wambach Primary Examiner Art Unit 2816

*** March 16, 2002



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

PTO-90C (Rev. 07-01)

Ň

			· .	
		~		
· · · · · · · · · · · · · · · · · · ·				
d an				
	÷			
· · · · · · · · · · · · · · · · · · ·			3	
				1 or
Supphmenter	Appli	cation No.	Applicant(s)	
Notice of Allowability	09/75		PYLES, NAT	HAN
	Exam	iner	Art Unit	
2	Marga	aret R Wambach	2816	
The MAILING DATE of this communication In claims being allowable, PROSECUTION ON THE MER Derewith (or previously mailed), a Notice of Allowance (PT NOTICE OF ALLOWABILITY IS NOT A GRANT OF PAT of the Office or upon petition by the applicant. See 37 CFI	RITS IS (OR RE OL-85) or othe ENT RIGHTS. R 1.313 and MI	MAINS) CLOSED r appropriate com This application is	in this application. If not munication will be mailed	included in due course. T HIS
\therefore This communication is responsive to <u>Amat A (1713)</u> . \square The allowed claim(s) is/are <u>2-9</u> .	<u>02)</u> .			
. The drawings filed on <u>04 January 2001</u> are accepte	ed by the Exam	iner.		4
. Acknowledgment is made of a claim for foreign price			or (f).	
a) 🗌 Ali b) 🗌 Some* c) 🗌 None of the:				
 Certified copies of the priority document 	its have been r	eceived.		
2. Certified copies of the priority document			And the second	
3. Copies of the certified copies of the price	en al la companya de	s have been receiv	ed in this national stage	application from the
International Bureau (PCT Rule 17.2	2(a)).		<i>n</i>	
 Certified copies not received: Acknowledgment is made of a claim for domestic pr 	iority under 25	1180 8110(0)/4	a a provisional application	-1
(a) The translation of the foreign language provis				ı).
 Acknowledgment is made of a claim for domestic pr 				
Applicant has THREE MONTHS FROM THE "MAILING D/ below. Failure to timely comply will result in ABANDONME 7. A SUBSTITUTE OATH OR DECLARATION must b NFORMAL PATENT APPLICATION (PTO-152) which giv	ENT of this app e submitted. N	lication. THIS TH	IREE-MONTH PERIOD IS	S NOT EXTENDABLE.
 B. CORRECTED DRAWINGS must be submitted. (a) including changes required by the Notice of Dr 1) hereto or 2) to Paper No (b) including changes required by the proposed dr 				w the Examiner
(c) including changes required by the attached Ex		and the second sec		
Identifying indicia such as the application number (see 3) of each sheet. The drawings should be filed as a separat	7 CFR 1.84(c)) s	hould be written on	the drawings in the top m	argin (not the back)
DEPOSIT OF and/or INFORMATION about the attached Examiner's comment regarding REQUIREMENT	e deposit of B	IOLOGICAL MA	TERIAL must be subm	
attachment(s)				
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO- Information Disclosure Statements (PTO-1449), Pape Examiner's Comment Regarding Requirement for Dep of Biological Material 	r No. <u>5</u> .	4∐ Intervi 6∏ Exami	of Informal Patent Applic ew Summary (PTO-413), ner's Amendment/Comm ner's Statement of Reaso MWW	Paper No ent ns for Allowance
		1)	Margaret R \ Primary Exa Art Unit: 281	miner
U.S. Patent and Trademark Office PTO-37 (Rev. 04-01)	Notice of A	Allowabllity		Part of Paper No. 8
			1	4 A A
43				

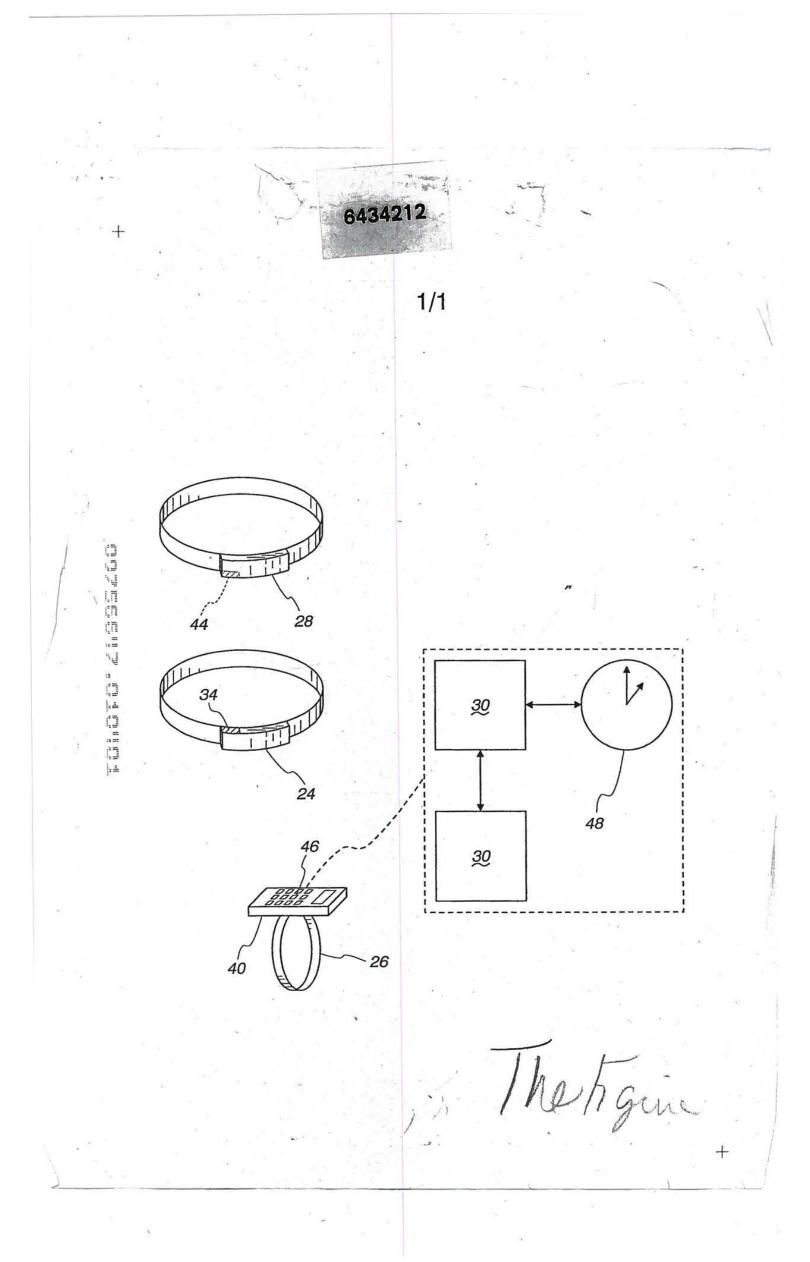
		-		
S				
s. ⁶⁸	d and			
200 C	and a state of the		5 T	
	1.4	1 Las	*~~	#
1	time (NW		1 1 1 1 1 17-
		· · · · ·		
UNITED STATES	PATENT AND TRADEMARK O		STATES DEPARTMENT OF	2 5 2002
		Adress	COMMERCENER OF PATENTS / Vashington, D.O. 20221	ND TRADEMARKS
				ALL CERT
2	NOTICE OF ALLOWA		S) DUE	T
020455 7590 0 LATHROP & CLARK LLP	13/19/2002 RESPONSE DUE 6/1	-	EXA	MINER
740 REGENT STREET SUITE P.O. BOX 1507	400 ACTION Sour Chu DCCKETED	, pue	WAMBACH	MARGARET R
MADISON, WI 537011507	BY: UL	DATE: 3/4	ART UNIT	CLASS-SUBCLASS
20. X	TICKLER	• .	2816	377-024200
	BV.	_ DATE:	DATE MAILED: 03/19/200	
APPLICATION NO. FILING D 09/756,647 01/04/20			ATTORNEY DOCKET	O. CONFIRMATION NO. 7058
E OF INVENTION: PEDOMETER	11 2			
			~	
	THEAT & TRADEME			Sa II
•				
TOTAL CLAIMS APPLN. TYPE 8 nonprovisional	SMALL ENTITY ISSUE NO \$121	And and a state of the state of	N FEE TOTAL FEE(S) \$1580	DUE DATE DUE 06/19/2002
E APPLICATION IDENTIFI	ED ABOVE HAS BEEN EXAMI	NED AND IS ALLO	WED FOR ISSUAN	CE AS A PATENT.
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA ITITION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID IST BE RETURNED WITHIN		NED AND IS ALLO OF ALLOWANCE ISSUE AT THE INI P 1308. UST BE PAID WITI HALL BE REGAR SUE FEE DUE INDI APPLICATION. TH	WED FOR ISSUANCE IS NOT A GRANT OF TIATIVE OF THE OF HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE IE PTOL-85B (OR A	CE AS A PATENT. IF PATENT RIGHTS. IFFICE OR UPON IS FROM THE 2D. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT)
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA ITITION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID IST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT eview the SMALL ENTITY stat ITTY is shown as YES, verify y	ED ABOVE HAS BEEN EXAMI ITS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S DED. SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS A THIS PERIOD EVEN IF NO FI TICE: tus shown above. If the SMALL	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE INI P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE EE IS DUE OR THE	WED FOR ISSUANCE IS NOT A GRANT OF TIATIVE OF THE OF HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE IE PTOL-85B (OR A	CE AS A PATENT. IF PATENT RIGHTS. IFFICE OR UPON IS FROM THE 2D. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT)
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA TITION BY THE APPLICAN E ISSUE FEE AND PUBLICA AILING DATE OF THIS NOT RIOD CANNOT BE EXTENI R ANY PREVIOUSLY PAID JST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT Leview the SMALL ENTITY stat TITY is shown as YES, verify yous: If the status is changed, pay the I twice the amount of the ISSUE	ED ABOVE HAS BEEN EXAMI ITS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S DED. SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS A THIS PERIOD EVEN IF NO FI TICE: tus shown above. If the SMALL	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE INI P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE EE IS DUE OR THE If the SMALL EN	WED FOR ISSUANCE IS NOT A GRANT OF TIATIVE OF THE OF HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE IE PTOL-85B (OR A CAPPLICATION WI	CE AS A PATENT. IF PATENT RIGHTS. OFFICE OR UPON IS FROM THE CD. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA TITION BY THE APPLICAN (E ISSUE FEE AND PUBLICA ALLING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID UST BE RETURNED WITHIN ANDONED. (W TO REPLY TO THIS NOT Review the SMALL ENTITY stat TITY is shown as YES, verify yous: If the status is changed, pay the I I twice the amount of the ISSUE	ED ABOVE HAS BEEN EXAMI TS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S DED. SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS I THIS PERIOD EVEN IF NO FINIT FICE: this shown above. If the SMALL our current SMALL ENTITY PUBLICATION FEE (if required) FEE shown above and notify the c Office of the change in status, or	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE IN P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE IF the SMALL EN A. Pay TOTAL FE B. If applicant clain claiming SMALL 1 the PUBLICATION XX Applicant clain	WED FOR ISSUANCE IS NOT A GRANT OF TIATIVE OF THE OF HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE E PTOL-85B (OR A CAPPLICATION WI CATED ABOVE RE E PTOL-85B (OR A CAPPLICATION WI CATED ABOVE RE E PTOL-85B (OR A CAPPLICATION WI CATED ABOVE RE CONTENTION OF A STATE STATE AND A STATE STATE AND A STATE STATE AND A STATE STATE AND A STATE AND A STATE STATE AND A STATE STATE AND A STATE	CE AS A PATENT. OF PATENT RIGHTS. OFFICE OR UPON IS FROM THE ED. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS re, or status before, or is now the box below and enclose UE FEE shown above.
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA ITITION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID IST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT Leview the SMALL ENTITY stat TITY is shown as YES, verify yous: If the status is changed, pay the I twice the amount of the ISSUE ited States Patent and Trademark (if the status is the same, pay the ' ve.	ED ABOVE HAS BEEN EXAMI ITS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S MED. SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS A ITHIS PERIOD EVEN IF NO FINITY ITCE: tus shown above. If the SMALL our current SMALL ENTITY PUBLICATION FEE (if required) FEE shown above and notify the c Office of the change in status, or TOTAL FEE(S) DUE shown ITAL should be completed and retur ON FEE (if required). Even if the fe	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE IN P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE IF the SMALL EN A. Pay TOTAL FE B. If applicant claim claiming SMALL 1 the PUBLICATION XI Applicant claim See 37 CFR 1 med to the United State (s) have already bee	WED FOR ISSUANCE IS NOT A GRANT OF THATIVE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE OF THE O	CE AS A PATENT. OF PATENT RIGHTS. OFFICE OR UPON IS FROM THE CD. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS re, or status before, or is now the box below and enclose UE FEE shown above. status. rk Office (USPTO) with Transmittal should be
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA ITTION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID IST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT eview the SMALL ENTITY stal ITTY is shown as YES, verify yous: if the status is changed, pay the I twice the amount of the ISSUE ted States Patent and Trademark f the status is the same, pay the ' ve.	ED ABOVE HAS BEEN EXAMI ITS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S IED, SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS A I THIS PERIOD EVEN IF NO FINITY FICE: this shown above. If the SMALL our current SMALL ENTITY PUBLICATION FEE (if required) FEE shown above and notify the coffice of the change in status, or TOTAL FEE(S) DUE shown ITAL should be completed and return ON FEE (if required). Even if the fe charging the fee(s) to your deposit a form should be submitted. his application must give the applic	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE IN P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE IF the SMALL EN A. Pay TOTAL FE B. If applicant clain claiming SMALL 1 the PUBLICATION XI Applicant clain See 37 CFR 1 med to the United State (s) have already bee account, section "4b".	WED FOR ISSUAND IS NOT A GRANT O TIATIVE OF THE O HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE E PTOL-85B (OR A C APPLICATION WI CATED ABOVE RE E PTOL-85B (OR A C APPLICATION WI SAULL ENTITY ENTITY status, check in N FEE and 1/2 the ISS ms SMALL ENTITY S 27.	CE AS A PATENT. OF PATENT RIGHTS. OFFICE OR UPON IS FROM THE ED. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS re, or status before, or is now the box below and enclose UE FEE shown above. status. rk Office (USPTO) with Transmittal should be smittal should be
OSECUTION ON THE MERI IS APPLICATION IS SUBJEA ITTION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID ST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT eview the SMALL ENTITY stat ITTY is shown as YES, verify yous: f the status is changed, pay the I twice the amount of the ISSUE ted States Patent and Trademark f the status is the same, pay the ' ve. PART B - FEE(S) TRANSMITT r ISSUE FEE and PUBLICATIO upleted and returned. If you are of upleted and an extra copy of the All communications regarding the i ISSUE FEE unless advised to the PORTANT REMINDER: Util	ED ABOVE HAS BEEN EXAMI ITS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S IED, SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS A I THIS PERIOD EVEN IF NO FINITY FICE: this shown above. If the SMALL our current SMALL ENTITY PUBLICATION FEE (if required) FEE shown above and notify the coffice of the change in status, or TOTAL FEE(S) DUE shown ITAL should be completed and return ON FEE (if required). Even if the fe charging the fee(s) to your deposit a form should be submitted. his application must give the applic	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE INP P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE IF the SMALL ENT A. Pay TOTAL FE B. If applicant clair claiming SMALL I the PUBLICATION XI Applicant clair Sec 37 CFR 1 ned to the United Stair se(s) have already been incount, section "4b" ation number. Please	WED FOR ISSUANG IS NOT A GRANT O TIATIVE OF THE O HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE E PTOL-85B (OR A : APPLICATION WI CATED ABOVE RE E PTOL-85B (OR A : APPLICATION BAOVE RE E PTOL-8	CE AS A PATENT. OF PATENT RIGHTS. OFFICE OR UPON IS FROM THE ED. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS re, or status before, or is now the box below and enclose UE FEE shown above. status. rk Office (USPTO) with Transmittal should be smittal should be ons prior to issuance to
DSECUTION ON THE MERI IS APPLICATION IS SUBJEA ITTION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID ST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT eview the SMALL ENTITY stat ITTY is shown as YES, verify yous: f the status is changed, pay the I twice the amount of the ISSUE ted States Patent and Trademark f the status is the same, pay the ' ve. PART B - FEE(S) TRANSMITT r ISSUE FEE and PUBLICATIO upleted and returned. If you are of upleted and an extra copy of the All communications regarding the ISSUE FEE unless advised to the PORTANT REMINDER: Util	ED ABOVE HAS BEEN EXAMI ITS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI ICE OR THIS APPLICATION S ED, SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS A I THIS PERIOD EVEN IF NO FINITY PUBLICATION FEE (if required) FEE shown above. If the SMALL our current SMALL ENTITY PUBLICATION FEE (if required) FEE shown above and notify the coffice of the change in status, or TOTAL FEE(S) DUE shown ITAL should be completed and return ON FEE (if required). Even if the fee charging the fee(s) to your deposit a form should be submitted. this application must give the application the contrary. Ity patents issuing on applicationar responsibility to ensure timely patents I SALE AND	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE INP P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE IF the SMALL ENT A. Pay TOTAL FE B. If applicant clain claiming SMALL 1 the PUBLICATION XI Applicant clain See 37 CFR 1 ned to the United State se(s) have already been recount, section "4b" ation number. Please s filed on or after De yment of maintenan	WED FOR ISSUANG IS NOT A GRANT O TIATIVE OF THE O HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE E PTOL-85B (OR A : APPLICATION WI CATED ABOVE RE E PTOL-85B (OR A : APPLICATION BAOVE RE E PTOL-8	CE AS A PATENT. OF PATENT RIGHTS. OFFICE OR UPON IS FROM THE ED. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS re, or status before, or is now the box below and enclose UE FEE shown above. status. rk Office (USPTO) with Transmittal should be smittal should be ons prior to issuance to
DSECUTION ON THE MERI IS APPLICATION IS SUBJEA (TITION BY THE APPLICAN E ISSUE FEE AND PUBLICA ILING DATE OF THIS NOT RIOD CANNOT BE EXTEND R ANY PREVIOUSLY PAID ST BE RETURNED WITHIN ANDONED. W TO REPLY TO THIS NOT eview the SMALL ENTITY stat (TTY is shown as YES, verify yous) to the status is changed, pay the I twice the amount of the ISSUE ted States Patent and Trademark f the status is the same, pay the ' ve. PART B - FEE(S) TRANSMITT r ISSUE FEE and PUBLICATIO upleted and returned. If you are of upleted and an extra copy of the All communications regarding the ISSUE FEE unless advised to the PORTANT REMINDER: Util	ED ABOVE HAS BEEN EXAMI TS IS CLOSED, THIS NOTICE CT TO WITHDRAWAL FROM T. SEE 37 CFR 1.313 AND MPE ATION FEE (IF REQUIRED) MI TCE OR THIS APPLICATION S ED. SEE 35 U.S.C. 151. THE ISS ISSUE FEE APPLIED IN THIS . I THIS PERIOD EVEN IF NO FINITY PUBLICATION FEE (if required) FEE shown above. If the SMALL our current SMALL ENTITY PUBLICATION FEE (if required) FEE shown above and notify the coffice of the change in status, or TOTAL FEE(S) DUE shown TAL should be completed and return ON FEE (if required). Even if the fee charging the fee(s) to your deposit a form should be submitted. his application must give the applic the contrary. ity patents issuing on applicationar responsibility to ensure timely pa	NED AND IS ALLO OF ALLOWANCE ISSUE AT THE INP P 1308. UST BE PAID WITH HALL BE REGAR SUE FEE DUE INDI APPLICATION. THE IF the SMALL ENT A. Pay TOTAL FE B. If applicant clain claiming SMALL 1 the PUBLICATION XI Applicant clain See 37 CFR 1 ned to the United State se(s) have already been recount, section "4b" ation number. Please s filed on or after De yment of maintenan	WED FOR ISSUANG IS NOT A GRANT O TIATIVE OF THE O HIN THREE MONTH DED AS ABANDONI CATED ABOVE RE E PTOL-85B (OR A : APPLICATION WI CATED ABOVE RE E PTOL-85B (OR A : APPLICATION BAOVE RE E PTOL-8	CE AS A PATENT. OF PATENT RIGHTS. OFFICE OR UPON IS FROM THE ED. THIS STATUTORY FLECTS A CREDIT N EQUIVALENT) LL BE REGARDED AS re, or status before, or is now the box below and enclose UE FEE shown above. status. rk Office (USPTO) with Transmittal should be smittal should be ons prior to issuance to

			14 14	
	1 a 1			
	1	1		
	γ	tM	$\gamma - 1$	1/
	· · · ·		a A	\bigvee
	PART B - FEE(S) TRA	NSMITTAL	O M	, ,
Complete and mail this form, together with a	pplicable fee(s), to:	Box ISSUE FEE Assistant Commissioner fo	or Patents	
IT NO NOT DUCTIONS. This form should be used for	transmitting the VSSI IF FEF an	Washington, D.C. 20231	Blocks I through 4 should be con	mieted
ALLING INSTRUCTIONS: This form should be used for the esproprists. All further correspondence including the Patiested unless corrected below or directed otherwise in Blutintenance for notifications.	stent, advance orders and notification of the state of th	tion of maintenance fees will be ma correspondence address; and/or (b)	led to the current correspondence add indicating a separate "FEE ADDRE	iress as SS" for
CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with an	sy corrections or use Block 1)	Note: The certificate of mailin mailings of the Fee(a) Transmitt	g below can only be used for dor al. This certificate cannot be used for	nestic
220455 7590 03/19/2002 LATHROP & CLARK LLP	E JC,	other accompanying papers. Eac or formal drawing, must have its	h additional paper, such as an assign own certificate of mailing.	nment
740 REGENT STREET SUITE 400	1	Certify I hereby certify that this Fee(s)	cate of Malling Transmittal is being deposited wit sufficient postage for first class mail	th the
MÀDISON, WI 537011507		United States Postal Service with envelope addressed to the Bou indicated below.	sufficient postage for first class mail t Issue Fee address above on the	in an date
	· R	Jeffry W. Sr	aith (Deposito	
halore un	PATENU	Confing W	2002 (B	(Date)
APPLICATION NO. FILING DATE	FIRST NAMED INVE		Y DOCKET NO. CONFIRMATION	NO
09/756,647 01/0472001	, Nathan Pyles		WMO-6 7058	
CLE OF INVENTION: PEDOMETER			<i>P</i>	
	1 C			
TOTAL CLAIMS APPLN. TYPE SMALL E	and the second	the second s	AL FEE(S) DUE DATE DUE	
8 nonprovisional NC		\$300	\$1580 06/19/2002	
EXAMINER AF WAMBACH, MARGARET R	2816 377-0242	-		
Change of correspondence address or indication of "Fee Ad FR 1.363). Use of PTO form(s) and Customer Number are n	idress" (37 2. For printing	g on the patent front page, list (1)		_
it not required.	or agents OR	up to 3 registered patent attorneys, alternatively, (2) the name of a having as a member a registered	<u>1 Lathrop & Cla</u> rk	LLP
Change of correspondence address (or Change of Corresp Address form PTO/SB/122) attached.	attorney or a	gent) and the names of up to 2 ant attorneys or agents. If no name	2	
Fee Address" indication (or "Fee Address" Indication for PTO/SB/47) attached.	is listed, no ns	me will be printed.	3	
SSIGNEE NAME AND RESIDENCE DATA TO BE PRI EASE NOTE: Unless an assignce is identified below, no en previously submitted to the USPTO or is being submitted		10 10 10 http://doi.org/10.101/10.101/10.101/10.101/10.101/10.101/10.101/10.101/10.101/10.101/10.101/10.101/10	only appropriate when an assignme	nt has
en previously submitted to the USPTO or is being submitte .) NAME OF ASSIGNEE		ion of this form is NOT a substitute : Y and STATE OR COUNTRY)	for filing an assignment.	
		÷		
ase check the appropriate assignee category or categories (w	and the second second second second	O individual O corporation of	r other private group entity D gover	mment
The following fee(s) are enclosed:	4b. Payment of Fee(s): XCKA check in the amount	at of the fee(s) is enclosed.		
Publication Fee	and the second	rd. Form PTO-2038 is attached.	mired fee(s), or credit any overpayme	nt to
			uired fec(s), or credit any overpayme that copy of this form).	
COMMISSIONER OF PATENTS AND TRADEMARKS lication identified above.	is requested to apply the laste F	ee and Publication Fee (if any) or to	re-apply any previously paid issue te	e to the
thorized Signature) Sith	(Data) June 10, 2002			
OTE; The lasue Fee and Publication Fee (if required) wither than the applicant; a registered attorney or agent; or	I not be accepted from anyone	06/21/2002 ZJUHAR2 0	0000015 09756647	
her than the applicant; a registered attorney or agent; or terest as shown by the records of the United States Patent and arden Hour Statement; This form is estimated to take 0.2 he			640.00 DP 30.00 DP	1
arden. Hour Statement: This form is estimated to take 0.2 ho pending on the needs of the individual case. Any comment complete this form should be sent to the Chief Information d Trademark Office, Washington, D.C. 20231. DO NOT S RMS TO THIS ADDRESS. SEND FEES AND THIS isistant Commissioner for Patents, Washington, D.C. 20231	s on the amount of time required on Officer, United States Patent SEND FEES OR COMPLETION	02 FC:561 03 FC:195	300.00 DP	
ORMS TO THIS ADDRESS. SEND FEES AND THIS isistant Commissioner for Patents, Washington, D.C. 20231	S FORM TO: Box Issue Fee,			3)
	s are required to respond to a			
nder the Paperwork Reduction Act of 1995, no persons llection of information unless it displays a valid OMB contr	toi namota.	and the second se	and the second se	-

TomTom Exhibit 1009, Page 87 of 92

U.S. Patern at Trademich Recy U.S. DPARTNERT OF COMMERC TRANSMITTAL FORM TRANSMITTAL FORM The Description of the state of tables to extend of managed to managed to managed to managed to analyse of a contrast of tables of	2 2004		Ď	/	PTO/SB/21 (08-03 Approved for use through 08/30/2003. OMB 0651-003
TRANSMITTAL FORM Filing Data January 4, 201 (to be used for all correspondence after initial liling) Filing Data January 4, 201 (to be used for all correspondence after initial liling) Art Unit 2216 Total Number of Pages in This Studentistic Aftorney Docket Number 10013.008 Cotal Number of Pages in This Studentistic Aftorney Docket Number 10013.008 ENCLOSURES (Check all that apply) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Mark (2) After Allowance communication Image: Construct of Pages in This Studentistic Data Data Data Mark (2)	ucoer the Paper	vork Reduction Act of 1995, no	persons are required to respond to	a collection of inf	formation unless it displays a valid OMB control number
FORM First Named Inventor Nature Pyles It be used for all correspondence after initial filling) First Named Inventor At Unit 2816 It be used for all correspondence after initial filling) At Unit 2816 It call Number of Pages In This Submission At Onit 2816 It call Number of Pages In This Submission Attorn (Source Call that apply) Atter Allowance communication to Board of Appeals and Interferences Appeal Communication to To (Appeal Interf	the second s	NSMITTAL	Filing Date		
Art Unit 2818 Total Number of Pages In This Submission Aforney Docket Number Total Number of Pages In This Submission Aforney Docket Number Image: State					di sub-su di su
Interview Adorney Docket Number 1013.008 Image: Construction of Pages In This Submission ENCLOSURES (Check all that apply) Image: Construction of Pages In This Submission ENCLOSURES (Check all that apply) Image: Construction of Pages In This Submission Drawing(s) After Allowance communication Image: Construction of The Pages In This Submission Drawing(s) After Allowance communication Image: Construction of The Pages In This Submission Drawing(s) After Allowance communication Image: Construction of The Pages In This Submission Drawing(s) After Allowance communication Image: Construction of The Pages In This Submission Drawing(s) Appeal Communication to To Image: Construction of The Pages In This Submission Drawing(s) Drawing(s) Drawing(s) Image: Construction of The Pages In This Submission Drawing(s) Drawing(s) Drawing(s) Image: Construction of The Pages In This Submission Drawing(s) Drawing(s) Drawing(s) Image: Construction of The Pages In The Construction of Chere Pages In The Construction of Chere Pages In The Constru	(to be used for all o	correspondence after initial filing) Art Unit		
Total Number of Pages in This Submitsion Image: Submitsion Image: Submitsion ENCLOSURES (Check all that apply) After Allowance communication to Technology Center (TG) Fee Attached Drawing(s) After Allowance communication to Beard of Appeal Communication to Convert to a Provisional Application and Interferences appeal and Interferences appeal to Communication to Convert to a Provisional Application and Change of Correspondence Address Data After Allowance communication to Convert to a Provisional Application and Construction appeal to Convert to a Provisional Application and Change of Correspondence Address Deter Endogune(s) (blocks - Udation and Convert to a Provisional Application and Convert to a Provisionane Convert to a Provisional Application applica			Examiner Name	M. Wa	ambach
ENCLOSURES (Check all that apply)	Total Number of Pa	ges In This Submission	Attorney Docket Numb	oer 10013	0.006
Fee Transmittal Form Drawing(s) After A Rovance communication Fee Attached Amendment/Reply Drawing(s) Appeal Communication to Board of Appeals and Interferences Appeals and Interferences After Allowance communication to TO (Appeal Communication to To Appeal Communication to To Commissioner for Patents, P.O. Box 1450, Alexandris, V			ENCLOSURES (Chec	k all that apply	1
Fee Attached Lieensing-reliated Papers Appeal Communication to Baard of Appeals and Interferences of Appeal Communication to Baard of Appeal and Interferences of Appeal Communication to Tome Appeal Communication to Compare Notices. Brief Reprint Provide Application Application After Final Power of Attorney, Revocation Status Letter Other Endesgree(s) (please Other Endesgree(s) (please Other Endesgree(s) (please Certified Copy of Priority Document(s) The Communication, or credit any overpayment, to Deposit Response to Missing Parts/ Information Singer Is hereby authorized to charge any additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. Signature Signature Signature Individual name Signature Certificate OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facelimile transmitted to the USPTO or deposited with the United States Postal Service with the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date Thereof contraction is required to obtain or retain a benefit by the public which is to one postal Service with the date shown below. Typed or printed name			1	n an that apply	After Allowance communication
Fee Attached Licensing-related Papers of Appeals and Interferences Amendment/Reply Petition Appeal Communication to TO (Appeals and Interferences Appeal Communication to TO (Appeals and Interferences Appeal Communication to TO (Appeals Netros, Brief, Regly Brief) After Final Petition to Convert to a Provisional Application After Final Power of Atomoy, Revocation Status Letter, Brief, Regly Brief, Construction, Contention, Contention, Contention, Contention, Contention, Contention, Contention, Status Letter, Brief, Regly Brief, Bri	Fee Transmi	ttai Form	Drawing(s)		
Amendmen/Reply Petition to Convert to a Provisional Application Provisional Application After Final Provisional Application After Final Provisional Application Power of Atomoy, Revocation Status Letters Express Abandomment Request Request for Refund Document(s) Request for Refund Document(s) Response to Missing Parts/ incomplete Application Response to Missing Parts/ incomplete Application The Commissioner is hereby authorized to charger of this communication, or credit any overpayment, to Deposit Account No. 50-2911. Film originature Jeffry W. Smith, Reg. No. 33455 The Status Parts and the United States Postal Service with the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimilie transmitted to the USPTO or deposited with the United States Postal Service with the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date Mark 42, 200 4P Date The collection of Information is required by 37 CFR 1.5. The Information is required in the united States Postal Service with the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455		Attached	Licensing-related Papers		of Appeals and Interferences
After Final Provisional Application Proprietary Information; Affidavits/deciaration(s) Provisional Application Status Letter Extension of Time Request Provisional Application Status Letter Express Abandonment Request Request for Refund Status Letter Information Disclosure Statement Request for Refund Status Letter Certified Copy of Priority Response to Missing Parts/ The Commissioner is hereby authorized to charggrany additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. SiGNATURE OF APPLICANT, ATTORNEY, OR AGENT Film or individual name Jeffry W. Smith, Reg. No. 33455 Signature Detter Transmitted to the USPTO or deposited with the United States Postal Service with eds shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Jeffry W. Smith, Reg. No. 33455	Amendment	Reply			
Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority CD, Number of CD(s) Document(s) Response to Missing Parts/ Incomplete Application The Commissioner is hereby authorized to charge any additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or or distance Jeffry W. Smith, Reg. No. 33455 Individual name Mach Q, 2004 Signature Defmandation CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with authic dates mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature	After	Final	Provisional Application		Proprietary Information
Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority CD, Number of CD(s) Document(s) Response to Missing Parts/ Incomplete Application The Commissioner is hereby authorized to charge any additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or or distance Jeffry W. Smith, Reg. No. 33455 Individual name Mach Q, 2004 Signature Defmandation CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with authic dates mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature	Affid	avits/deciaration(s)			Status Letter
Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority CD, Number of CD(s) Document(s) Response to Missing Parts/ Incomplete Application The Commissioner is hereby authorized to charge any additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or or distance Jeffry W. Smith, Reg. No. 33455 Individual name Mach Q, 2004 Signature Defmandation CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with authic dates mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature	Extension of	Time Request	Terminal Discialmer		Other Enclosure(s) (piedse
Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Response to Missing Parts/ Incomplete Application The Commissioner is hereby authorized to charge any additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or of Individual name Jeffry W. Smith, Reg. No. 33455 Signature Date March Q, zood CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Jeffry W. Smith, Reg. No. 33455 </td <td>Express Aba</td> <td>Indonment Request</td> <td>Request for Refund</td> <td></td> <td>and the second in the second s</td>	Express Aba	Indonment Request	Request for Refund		and the second in the second s
Certified Copy of Priority Document(s) Remarks Image: Certified Copy of Priority Document(s) Response to Missing Parts/ incomplete Application The Commissioner is hereby authorized to charge pany additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Individual name Jeffry W. Smith, Reg. No. 33455 Signature Jeffry W. Smith, Reg. No. 33455 Certific Core of this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Jeffry W. Smith, Reg. N		.F	CD, Number of CD(s)		
Document(s) The Commissioner is hereby authorized to charge any additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit additional fees that may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 50-2911. Firm or individual name SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or individual name Jeffry W. Smith, Reg. No. 33455 Signature Jeffry W. Smith, Reg. No. 33455 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on, the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Jeffry W. Smith, Reg. No. 33455 The collection of Information is required by 37 CFR 1.5. The information is required io obtain or retain a benefit by the public which is to file (and by the USPTO in process) an application. Confidentality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gatterind, proparind, and submitting the completed application		- unan in The Arrivelle	Remarks		ž o
Firm or individual name Jeffry W. Smith, Reg. No. 33455 JJJJJJJJJJJJJJJJJJJJJJJJJJJJJJJJJJJJ	incomplete A	Missing Parts/ Application ponse to Missing Parts	additional fees that m communication, or cr	nay be req redit any o	uired with respect to this
or Individual name Signature Signature Signature Signature March E, 200 fl CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date This collection of information is required by 37 CFR 1.5. 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 12 minutes to complete, including gathering, preparing, and subtrouble to complete application form to the USPTO. The will way doeen set 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.		SIGNATU	RE OF APPLICANT, AT	TORNEY, C	DR AGENT
Signature With With Date March 2, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to reducing thine your equire to complete, including gathering, prepering, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time your equire to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information of the your equire to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information of the your equire to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information of there, 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.		effry W. Smith, Reg. No. 334	155		70721
Date March 2, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date March 9, 2004 This collection of information is required by 37 CFR 1.5. The information is required to obtain or relain 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 1.1. This collection is estimated to 12 minutes to complete, including gathering, preparing, or 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.		1.4. 50.4.1			57201
Intervent 4, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date March 9, 2000 This collection of information is required by 37 CFR 1.5. The information is required to obtain or relain 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 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.	- F	ABBYWSith			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date Date March 9, 200C This collection of information is required by 37 CFR 1.5. The information is required to obtain or relain a benefit by the public which is to file (and by the USPTO is process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete dapilication for more 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.			and the second		
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Jeffry W. Smith, Reg. No. 33455 Signature Date This collection of Information Is required by 37 CFR 1.5. The information is required to obtain or relain 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 12 minutes to complete, including gathering, preparing, and submitting the completed application for 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. ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					a pressure and a second se
Jeffry W. Smith, Reg. No. 33455 Signature Date March 9, 200C This collection of information is required by 37 CFR 1.5. The information is required to obtain or relain 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 12 minutes to complete, including gathering, 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.	sufficient postage as	first class mail in an envelo	presenting transmitted to the U ope addressed to: Commission	er for Patents,	sited with the United States Postal Service with P.O. Box 1450, Alexandria, VA 22313-1450 on
This collection of information is required by 37 CFR 1.5. The information is required to obtain or relain 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 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.	Typed or printed nar	ne Jeffry W. Smlth, Reg	. No. 33455		A CONTRACT OF A
This collection of information is required by 37 CFR 1.5. 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 12 minutes to complete, including gathering, 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.	1	Atty Nº	Sitt		Date March 9, 2000
process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 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.	Signature	nation is required by 37 CFR 1.5	5. The information is required to obt	ain or relain a be	والمحمد والمحماد المحم
	<u> </u>			This collection is e will vary depending	estimated to 12 minutes to complete, including ing upon the individual case. Any comments on the int to the Chief Information Officer, U.S. Patent and
	This collection of inform process) an application gathering, preparing, a amount of time you req Trademark Office, U.S.	nd submitting the completed ap ulre to complete this form and/o Department of Commerce, P.O Commissioner for Patent	pilcation form to the USPTO. Time or suggestions for reducing this burc b. Box 1450, Alexandria, VA 22313 ts, P.O. Box 1450, Alexandria	-1450. DO NOT 5 , VA 22313-14	SEND FEES OR COMPLETED FORMS TO THIS 50.
	This collection of inform process) an application gathering, preparing, at amount of time you req Trademark Office, U.S.	nd submitting the completed ap ulre to complete this form and/o Department of Commerce, P.O Commissioner for Patent	pilcation form to the USPTO. Time or suggestions for reducing this burc b. Box 1450, Alexandria, VA 22313 ts, P.O. Box 1450, Alexandria	-1450. DO NOT 5 , VA 22313-14	SEND FEES OR COMPLETED FORMS TO THIS 50.

TomTom Exhibit 1009, Page 88 of 92



TomTom Exhibit 1009, Page 89 of 92

APPLICATION NUMBER 09/756,647	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
	01/04/2001	Nathan Pyles	KNOWMO-6
UNITED STA	tes Patent and Tradema	UNITED STA United States Address COMMI	TES DEPARTMENT OF COMMERCE Patent and Trademark Office SSIONER FOR PATENTS 130 a, Virginia 22313-1450 ogov

39231 SMITH & AMUNDSEN 440 SCIENCE DR. SUITE 320 MADISON, WI 53711

Date Mailed: 03/22/2004

OC00000012150605

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/19/2004.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

DAVID O LIPSCOMB OPR (703) 308-7127

OFFICE COPY

	Type	L #	Hits	Search Text	DBs Time Stamp
1	BRS	Ll	50	exercise adj monitor	USPAT 2002/03/17 14:04

03/17/2002, EAST Version: 1.03.0002

TomTom Exhibit 1009, Page 91 of 92

PATENT	APPLICATIO Effect	N FEE D			ON RECOR		5. 5		ocket Num 664	
	CLAIMS AS	(Colum	100000000000000000000000000000000000000	l (Colu	mn 2)		YTITY	OR	OTHER SMALL	
TOTAL CLAIMS	9 NUMBER FILED N		- 11	A DECK	RATE FEE		RATE FEE			
FOR			NUMBER EXTRA		BASIC FEE	355.00	OR	BASIC FEE	710.00	
TOTAL CHARGE	9 minus 20= *		*	0	X\$ 9=		OR	X\$18=		
NDEPENDENT C	2 minus 3 = *		*	6	X40=			X80=		
MULTIPLE DEPE	RESENT						OR			
If the difference	a in column 1 is	less than 7	ero enter	"0" in c	olumn 2	+135=		OR		274
					oldrin 2	TOTAL		OR		710
d a	CLAIMS AS AMENDED - PART II (Column 1) (Column 2)					SMALL	ENTITY	OR	OTHER SMALL	
Total Independent	CLAIMS REMAINING AFTER AMENDMENT		HIGH NUM PREVIC PAID	EST BER DUSLY	(Column 3) PRESENT EXTRA	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
Total	. 8	Minus	-	V	=	X\$ 9=		OR	X\$18=	
Independent	. 3	Minus	***3	1	=	X40=		OR	X80=	
FIRST PRES	ENTATION OF M	ULTIPLE DE	PENDENT	CLAIM		+135=		OR	+270=	
					L	TOTAL			TOTAL	
	(Column 1)		(Colui	mn 2)	(Column 3)	ADDIT. FEE			ADDIT. FEE	
Total Independent	CLAIMS REMAINING AFTER AMENDMENT		HIGH NUM PREVIO PAID	iest Ber Dusly	PRESENT	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
Total	*	Minus	**		= '	X\$ 9=		OR	X\$18=	
Independent	•	Minus			*	X40=		OR	X80=	
FIRST PRES	ENTATION OF M	ULTIPLE DE	PENDENT	CLAIM		+135=		OR	+270=	
						TOTAL			TOTAL	
	(Column 1)		(Colu	mn 2)	(Column 3)	ADDIT. FEE		On	ADDIT. FEE	
ENTC	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Colur HIGF NUM PREVIO PAID	IEST BER DUSLY	PRESENT	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAI FEE
Total Independent	•	Minus	**		=	X\$ 9=		OR	X\$18=	7
Independent	*	Minus	***	-	=	X40=			X80=	
FIRST PRES	ENTATION OF M	ULTIPLE DE	EPENDEN	T CLAIM				OR		
• 16 41	umn 1 is less than t	he entry in co	lumn 2 wrlte	• "0" In co	lumn 3.	+135= TOTAL		OR OR	+270= TOTAL	

TomTom Exhibit 1009, Page 92 of 92