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It is noted that the IDS of 2/6/13, 2/11/13, 2/12/13 represents multiple *thousands* of pages of highly technical disclosure, which meets the test of a “long list”. Therefore, the determination of whether or not references are material to the patentability appears to be an issue.

In the course of examining or treating a matter in a pending or abandoned application filed under 35 U.S.C. **111** or **371** (including a reissue application), in a patent, or in a reexamination proceeding, the examiner or other Office employee may require the submission, from individuals identified under § **1.56(c)**, or any assignee, of such information as may be reasonably necessary to properly examine or treat the matter(CFR 1.105).

The references cited in the IDS of 2/6/13, 2/11/13, 2/12/13 will not be considered until an *underlining* of the most relevant documents is provided. Please do not delineate the references using a highlighter since the documents will be scanned and the highlighted sections will not be visible. Applicant’s forthcoming assistance is gratefully anticipated.

Claim Rejections - 35 USC § 112

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

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

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

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7,8 rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

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subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

As per claim 7,8, recites “**the Web**”, there is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler).

As per claim 1, Wright teaches a method for managing data including the steps of: (a) creating a questionnaire comprising a series of questions(Figs.1-11, Abstract); (b) thereby producing a plurality of tokens representing said questionnaire(Figs.1-11, Abstract); (c) transmitting said plurality of tokens to a remote computing device(col.13, lines 38-65); (d) executing at least a portion of said plurality of tokens representing said questionnaire at said remote computing device to collect a response from a user(col.13, lines 38-65).

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Wright however does not explicitly teach tokenizing said questionnaire; (e) transmitting at least a portion of said response from the user to a server via a network; and (f) storing said response at said server. Wright however does suggest that the questionnaire is tokenized(Figs.1-11, Abstract, col.25, lines 1-50).

Warthen explicitly teaches the known art of tokenizing(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Warthen in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback(Wright, Abstract).

Wright in view of Warthen does not explicitly teach (e) transmitting at least a portion of said response from the user to a server via a network; and (f) storing said response at said server.

Brookler explicitly teaches (e) transmitting at least a portion of said response from the user to a server via a network; and (f) storing said response at said server(Fig.1, para.0033).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen to include storing user's responses at the server as taught by Brookler in order to provide the predictable result of having all answered survey questions stored on the server.

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One ordinary skill in the art would have been motivated to combine the teachings in order to have a central location, e.g. server, for all results of a survey which provides ease of access for the surveyors(Brookler, para.0002).

As per claim 2, the method for managing data of claim 1 further comprising the step of: (g) translating said response to a format recognizable by a particular computer program; and (h) accessing the translated response from a computer executing said particular computer program(Wright, Figs.1-11, Abstract, Brookler, para.0051).

Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 3, the method for managing data of claim 1 wherein step (a) includes the substeps of: (a)creating a questionnaire by: (i) entering a series of questions into a questionnaire design computer program; (ii) identifying within said questionnaire design computer program the type of response allowed for each question of said series of questions; and (iii) identifying within said questionnaire design computer program a branching path in said questionnaire for each possible response to each question of said series of questions(Wright, Figs.1-11, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 4, the method for managing data of claim 1 wherein step (b) includes the substeps of: (b) tokenizing said questionnaire thereby producing a plurality of tokens representing said questionnaire by: (i) assigning at least one token to each

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question of said series of questions; (ii) assigning at least one token to each response called for in said series of questions to identify the type of response required; and (iii) assigning at least one token to each branch in said questionnaire to identify the required program control associated with said branch(Wright, Figs.1-11, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 5, the method of data management of claim 1 wherein the transmission of said tokens in step (c) occurs via the network of step (e) (Brookler, Fig.1). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 6, a method for modifying a questionnaire used in data management according to the method of claim 1 including the steps of:

- (a) making at least one incremental change to a portion of the questionnaire;
- (b) tokenizing said at least one incremental change to said questionnaire;
- (c) transmitting at least a portion of said tokens resulting from step (b) to a remote computing device, said transmitted tokens comprising less than the entire tokenized questionnaire; (d) incorporating said transmitted tokens into said questionnaire at said remote computing device(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

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As per claims 7, 9-11 rejected for the same reasons as set forth above or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Publication 2001/0056374 issued to Joao.

As per claim 8, Wright in view of Warthen in view of Brookler does not explicitly teach the method for collecting survey data according to claim 7 further comprising: (f) assessing a charge for each transferred response received by said central computer.

Joao explicitly teaches (f) assessing a charge for each transferred response received by said central computer(para.0230).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen in view of Brookler to include assessing a charge for each transferred response received by said central computer as taught by Joao in order to receive compensation, a reward, a rebate, and/or an incentive (Joao, para. 0009).

One ordinary skill in the art would have been motivated to combine the teachings in order to facilitate commerce between any parties and/or any number of parties (Joao, para. 0009).

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Claims 12-14, 16-18, 24,25, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport).

As per claim 12, Wright teaches a method for managing data comprising the steps of: (a) establishing communications between a handheld computing device and an originating computer; (b) receiving within said handheld computing device a transmission of a questionnaire from said originating computer, said questionnaire comprising a plurality of tokens; (d 1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user, and, (d2) storing within said computing device said at least one response from the user(Fig.1-11, Abstract, col.13, lines 38-65).

Wright however does not explicitly teach tokenizing said questionnaire;(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, (e) establishing communications between said handheld computing device and a recipient computer; (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer.

Wright however does suggest that the questionnaire is tokenized(Figs.1-11, Abstract, col.25, lines 1-50).

Warthen explicitly teaches the known art of tokenizing(Abstract).

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Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Warthen in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback(Wright, Abstract).

Wright in view of Warthen does not explicitly teach ;(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, (e) establishing communications between said handheld computing device and a recipient computer; (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer.

Brookler explicitly teaches (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer(Fig.1, para.0033).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen to include transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer as taught by Brookler in order to provide the predictable result of having all answered survey questions stored on the server.

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One ordinary skill in the art would have been motivated to combine the teachings in order to have a central location, e.g. server, for all results of a survey which provides ease of access for the surveyors(Brookler, para.0002).

Wright in view of Warthen in view of Brookler does not explicitly teach ;(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, (e) establishing communications between said handheld computing device and a recipient computer.

Rappaport explicitly teaches the known art of connection failure and reconnecting of mobile devices(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen in view of Brookler to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reconnection to transfer information to a server.

As per claim 13, the method for managing data according to Claim 12, wherein step (b) comprises the steps of: (b 1) creating a questionnaire, (b2) tokenizing said questionnaire, thereby producing a plurality of tokens representing said questionnaire, (b3) storing said plurality of tokens on a computer readable medium accessible by said originating computer, (b4) accessing said stored plurality of tokens from said originating computer, (b5) transmitting said stored plurality of tokens from said

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originating computer to said handheld computing device, and, (b6) receiving within said handheld computing device said transmission of said tokenized questionnaire from said originating computer(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 14, the method for managing data according to Claim 12, wherein said originating computer and said recipient computer are a same computer(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 16, the method for managing data according to Claim 12, wherein said questionnaire comprises at least one question(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 17, the method for managing data according to Claim 16, wherein at least one of said at least one question is selected from a group consisting of a food quality question, a service quality question, a waiting time question, a store number question, a location question, a time question, a date question, a temperature question, and a time of day question(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

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As per claim 18, the method for managing data according to Claim 12, wherein step (a) comprises the step of establishing communications via the Internet between said handheld computing device and said originating computer(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 24 rejected for the same reasons as set for above, and further (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user(Brookler, para.0033) or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claims 25,28-31 rejected for the same reasons as set forth above or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

Claims 15 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport) in view of US Publication 2002/0137524 issued to Bade et al.(Bade).

Wright in view of Warthen in view of Brookler in view of Rappaport teaches As per claim 15, the method for managing data according to Claim 12, wherein said step (dl) comprises the steps of: executing at least a portion of said plurality of tokens

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comprising said questionnaire on said handheld computing device to collect at least one response from a user.

However does not explicitly teach the art of authentication.

Bade explicitly teaches the well known method of authentication(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Warthen in view of Brookler in view of Rappaport to include the known method of authentication as taught by Bade in order to provide the predictable result of authentication of a device.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide security for a mobile device and information.

Claims 19-21, 26, 27 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent 6,584,464 issued to Warthen in view of in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport) in view of US Patent 6,462,708 issued to Tsujimoto et al.(Tsujimoto).

As per claim 19 Wright teaches method for managing data comprising the steps of: (a) establishing communications between a handheld computing device and an originating computer, (b) receiving within said handheld computing device a transmission of a questionnaire, said questionnaire comprising a plurality of tokens; (d l) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to (Figs.1-11, Abstract, col.25, lines 1-50).

Wright does not explicitly teach tokenizing a questionnaire;

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(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been terminated, (e) establishing communications between said handheld computing device and a recipient computer;

said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Warthen explicitly teaches the known art of tokenizing(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Warthen in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback(Wright, Abstract).

Wright in view of Warthen does not explicitly teach

(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been terminated, (e) establishing communications between said handheld computing device and a recipient computer;

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said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Rappaport explicitly teaches the known art of connection failure and reconnecting of mobile devices(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reconnection to transfer information to a server.

Wright in view of Warthen in view of Rappaport does not explicitly teach said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Tsujimoto explicitly teaches the known system of a mobile device with a GPS to determine location(col.1, lines 17-20).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen in view of Rappaport to include the use of GPS for mobile devices as taught by Tsujimoto in order to provide the predictable result of a determination of a GPS location of a mobile device.

One ordinary skill in the art would have been motivated to combine the teachings in order to determine of a GPS location of a mobile device.

As per claim 20, the method for managing data according to Claim 19 wherein said current location of said handheld computing device is determined using GPS(Tsujimoto, col.1, lines 17-20). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claim 21, the method for managing data according to Claim 19, wherein said originating computer and said recipient computer are a same computer(Wright, Figs.1-11, col.16, lines50-55, Abstract, Warthen, Abstract). Motivation to combine set forth in claim 1 and/or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

As per claims 26, 27 rejected for the same reasons as set forth above or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

Response to Arguments

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All objections/rejection not specifically addressed below are withdrawn due to applicant's remarks/amendments. The Declaration under CFR 1.131 is sufficient to overcome the Lew and Sendowski, those rejections are withdrawn.

The applicant has not challenged the Official Notice that was taken, therefore based upon MPEP 2144.03(C), the common knowledge or well-known statement is taken to be admitted prior art.

Applicant's arguments pertaining to the art filed 12/28/12 have been fully considered but they are not persuasive. The applicant argues in substance, the prior art does not teach, "tokenizing" as claimed by the applicant, page 20-25, is different than the prior art.

In reply; In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a token is a logical, mathematical, or branching operation) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In further, where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The applicant has not clearly distinguish the term

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"tokenizing", from the prior art beyond providing para.0054-0055, in which describes, "Each token **preferably corresponds** to a logical....", however this is merely a suggestion of what a token can be. Nowhere in para.0054-0055, does it clearly define "tokenizing" nor does the claim recite a specific definition. As such, Warthen, Abstract, clearly teaches tokenizing.

Examiner's Remarks

The Office encourages the applicant to point to specific location in the specification for all amendments made in the instant specification and all parent applications in order to advance prosecution of the application.

The cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571) 272-5654. The examiner can normally be reached on M-T 7-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Backhean Tiv/
Primary Examiner, Art Unit 2451

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12910706	
	Filing Date		2010-10-22	
	First Named Inventor	Payne		
	Art Unit		2451	
	Examiner Name		BACHHEAN TIV	
	Attorney Docket Number		71855/10-351	

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Filing Date	2010-10-22
First Named Inventor	Payne
Art Unit	2451
Examiner Name	BACHHEAN TIV
Attorney Docket Number	71855/10-351

1	Casio Soft Launches CSI MobileLink for Merchandising, PR Newswire, 04/01/1999	<input type="checkbox"/>
2	Casio Soft releases new version of MobileLink mobile enterprise solution, TelecomWorldWire, 01/26/2001 Michelle Delio, Casio's Field Force Hardware and Software Solution, CRM News Daily, 06/04/2000	<input type="checkbox"/>
3	Michelle Delio, Casio's Field Force Hardware and Software Solution, CRM News Daily, 06/04/2000	<input type="checkbox"/>
4	Wellington Partners invests in leading mobile entertainment provider, 03/11/2002	<input type="checkbox"/>
5	Michael Coglianese, Mobile Aleph: A System for Distributed Mobile Applications, (2000)	<input type="checkbox"/>
6	Edith de Leeuw and William Nicholls II, Technological Innovations in Data Collection: Acceptance, Data Quality and Costs', vol. 1 Sociological Research Online (1996)	<input type="checkbox"/>
7	Katherine L. Dix and Jonathan Anderson, Distance No Longer a Barrier: Using the internet as a survey tool in educational research, vol. 1 International Education Journal (2000)	<input type="checkbox"/>
8	Matti Hamalainen et al., Quizcode – A Tool for Online Assessment and Feedback	<input type="checkbox"/>
9	Eric Knorr, Special Report PC World's Enterprise Technology: Real Wireless on the Go (2012)	<input type="checkbox"/>
10	Survey Mate – Survey / Quiz Mate v3.5 (1999)	<input type="checkbox"/>
11	Peggy Salz, Part II: Look Who's Watching (2001)	<input type="checkbox"/>

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12	Vasja Vehovar et al., Web Surveys: Can The Weighting Solve the Problem?	<input type="checkbox"/>
13	Palm Computing Platform, Web Clipping Developer's Guide (1996-2000)	<input type="checkbox"/>
14	Michael F. Weeks, Computer-Assisted Survey Information Collection: A Review of CASIC Methods and Their Implications for Survey Operations, vol. 8, Journal of Official Statistics pp. 445-465 (1992)	<input type="checkbox"/>
15	What Is CSI MobileLink? (no later than July 2001)	<input type="checkbox"/>
16	William C. Schmidt, World-Wide Web Survey Research Made Easy with WWW Survey Assistant, Software Announcement (1996)	<input type="checkbox"/>
17	William C. Schmidt, World-Wide Web Survey Research: Benefits, Potential Problems, and Solutions, vol. 29, Research Methods, Instruments & Computers pp. 274-279 (1997)	<input type="checkbox"/>
18	Techneos.com / Frequently Asked Questions web page (2000)	<input type="checkbox"/>
19	Techneos.com / Product Index web page (2000)	<input type="checkbox"/>
20	Techneos.com / Support web page (2000)	<input type="checkbox"/>
21	John Prager et al., Answering What-Is Questions by Virtual Annotation	<input type="checkbox"/>
22	Matti Hamalainen, et al., Quizcode – A Tool for Online Assessment and Feedback (2000)	<input type="checkbox"/>

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STATEMENT BY APPLICANT**
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Attorney Docket Number	71855/10-351		

23	SurveyMate software documentation (1999)	<input type="checkbox"/>
24	Techneos.com web page (2000)	<input type="checkbox"/>
25	Zatz – Unplugged Living and Loving The Digital Lifestyle – Using AvantGo.com 3.0, 07/01/1999	<input type="checkbox"/>
26	Provisional Patent Application No. 60/262,915, filed 01/19/2001; Kevin James Kelly, Survey Methods for Handheld Computers	<input type="checkbox"/>
27	Provisional Patent Application No. 60/262,916, filed 01/19/2001; Kevin James Kelly, Survey Method for Handling Market Survey With Handheld Computers	<input type="checkbox"/>

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	12910706
Filing Date	2010-10-22
First Named Inventor	Payne
Art Unit	2451
Examiner Name	BACHHEAN TIV
Attorney Docket Number	71855/10-351

CERTIFICATION STATEMENT

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-12
Name/Print	Scott R. Zingerman	Registration Number	35422

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Application Number	12910706
Filing Date	2010-10-22
First Named Inventor	Payne
Art Unit	2451
Examiner Name	BACKHEAN TIV
Attorney Docket Number	71855/10-351

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	1	4345315		1982-08-17	CADOTTE et al.	
	2	4603232		1986-07-29	KURLAND et al.	
	3	4926255		1990-05-15	VON KOHORN	
	4	4954699		1990-09-04	COFFEY et al.	
	5	5195183		1993-03-16	MILLER et al.	
	6	5496175		1996-03-05	OYAMA et al.	
	7	5592480		1997-01-07	CARNEY et al.	
	8	5704029		1997-12-30	WRIGHT, JR.	

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9	5784539		1998-07-21	LENZ	
10	5813019		1998-09-22	VAN DE VANTER	
11	5893098		1999-04-06	PETERS et al.	
12	5896502		1999-04-20	SHIEH et al.	
13	5913040		1999-06-15	BAKAVY et al.	
14	6000000		1999-12-07	HAWKINS et al.	
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16	6034621		2000-03-07	KAUFMAN	
17	6035324		2000-03-07	CHANG et al.	
18	6061741		2000-05-09	MURPHY, JR. et al.	
19	6065059		2000-05-16	SHIEH et al.	

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20	6088717		2000-07-11	REED et al.	
21	6094654		2000-07-25	VAN HUBEN et al.	
22	6112049		2000-08-29	SONNENFELD	
23	6154748		2000-11-28	GUPTA et al.	
24	6157705		2000-12-05	FERRONE	
25	6183366	B1	2001-02-06	GOLDBERG et al.	
26	6189029	B1	2001-02-13	FUERST	
27	6226739	B1	2001-05-01	EAGLE	
28	6250930	B1	2001-06-26	MINTZ	
29	6260028	B1	2001-07-10	LEE et al.	
30	6298347	B1	2001-10-02	WESLEY	

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31	6311190		2001-10-30	BAYER et al.	
32	6321252	B1	2001-11-20	BHOLA et al.	
33	6341316	B1	2002-01-22	KLOBA et al.	
34	6380928	B1	2002-04-30	TODD	
35	6393434	B1	2002-05-21	JIANG et al.	
36	6434508	B1	2002-08-13	LIN et al.	
37	6453329	B1	2002-09-17	DODGEN	
38	6466956	B1	2002-10-15	CHO et al.	
39	6502165	B1	2002-12-31	KISHI et al.	
40	6578054	B1	2003-06-10	HOPMANN et al.	
41	6618746	B2	2003-09-09	DESAI et al.	

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42	6662192	B1	2003-12-09	REBANE	
43	6792244	B2	2004-09-14	ROSS et al.	
44	6795828	B2	2004-09-21	RICKETTS	
45	6873688	B1	2005-03-29	AARNIO	
46	6880084		2005-04-12	BRITTENHAM et al.	
47	6968375	B1	2005-11-22	BROWN	
48	6993495	B2	2006-01-31	SMITH, JR. et al.	
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	1	716184	AU		1998-06-04	HENDRICKS et al.		<input checked="" type="checkbox"/>
	2	2242874	CA		1997-07-24	PECKOVER		<input checked="" type="checkbox"/>
	3	2314513	CA	A1	2001-01-26	BARDY		<input checked="" type="checkbox"/>
	4	2387039	CA	A1	2001-04-19	CALLENDER et al.		<input checked="" type="checkbox"/>
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	7	0866590	EP	A2	1998-09-23	WHALEN, et al.		<input checked="" type="checkbox"/>
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9	1035490	EP	A1	2000-09-13	MACRORY	<input checked="" type="checkbox"/>
10	1072994	EP	A2	2001-01-31	BARDY	<input checked="" type="checkbox"/>
11	2001-216219	JP		2001-08-10	YOSHIKAWA	<input checked="" type="checkbox"/>
12	2001-249914	JP		2001-09-14	OZAWA YASUO	<input checked="" type="checkbox"/>
13	2004-205368	JP		1992-07-27	TAKAMI TOMIO	<input checked="" type="checkbox"/>
14	4288664	EP	A	1992-10-13	SACHIKO	<input checked="" type="checkbox"/>
15	2002-006393	KR		2002-01-19	YEORSAM-DONG	<input checked="" type="checkbox"/>
16	WO0013121			2000-03-09	DONOHO et al.	<input checked="" type="checkbox"/>
17	WO0023905			2000-04-27	PORTER	<input checked="" type="checkbox"/>
18	WO0060490	WO		2000-10-12	WEISER	<input checked="" type="checkbox"/>
19	WO0075779	WO	A2	2000-12-14	LAMBERT et al.	<input checked="" type="checkbox"/>

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Receipt date: 02/11/2013

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Examiner Name	BACKHEAN TIV	
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20	WO0122308		A2	2001-03-29	BROOK-LEVINSON et al.	<input checked="" type="checkbox"/>
21	WO0140899		A2	2001-06-07	MASTER et al.	<input checked="" type="checkbox"/>
22	WO0142873	WO	A2	2001-06-14	CHEN	<input checked="" type="checkbox"/>
23	WO0148660		A1	2001-07-05	PLANTEC et al.	<input checked="" type="checkbox"/>
24	WO0169436		A1	2001-09-20	HAMALAI-NEN et al.	<input checked="" type="checkbox"/>
25	WO0173628		A2	2001-10-04	NAKAZAWA et al.	<input checked="" type="checkbox"/>
26	WO9007830			1990-07-12	FISCHER	<input checked="" type="checkbox"/>
27	WO9014725			1990-11-29	DOUGLAS	<input checked="" type="checkbox"/>
28	WO9726632			1997-07-24	PECKOVER	<input checked="" type="checkbox"/>
29	WO980143491	JP	A	1998-05-29	YASUSHI et al.	<input checked="" type="checkbox"/>
30	WO9809451			1998-03-05	HEINONEN et al.	<input checked="" type="checkbox"/>

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	1	Thomas Jensen & Ewen Denney, Correctness of Java Card Method Lookup via Logical Relations, Project Lande, IRISA, Rennes Cedex (2000)		<input type="checkbox"/>
	2	Claire Grover et al., LT TTT – A Flexible Tokenisation Tool, Language Technology Group (2000)		<input type="checkbox"/>
	3	Ena Kaasinen et al., Two approaches to bringing Internet services to WAP devices, vol. 33 IJCSNS (2000)		<input type="checkbox"/>
	4	Armando Fox et al., Integrating Information Appliances into an Interactive Workspace, IEEE (2000)		<input type="checkbox"/>
	5	Sawako-Eeva Hayashi, Development of Mobile Tokens Handling Application: Applying the User-Centred Design Approach, University of Tampere Department of Computer and Information Sciences Master's thesis (2001)		<input type="checkbox"/>
	6	Jonathan E. Cook & Alexander L. Wolf, Balboa: A Framework for Event-Based Process Data Analysis, (1998)		<input type="checkbox"/>
	7	Vikram Ramamorthy, Development of a decision support system for assessment of mobile bridges (1999)		<input type="checkbox"/>
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	9	Wireless Agenda Presentation (2000)		<input type="checkbox"/>

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10	Matti Hamalainen, Solutions for Interactive Content Creation & Delivery in the Wireless Environment" Interactive Entertainment in Your Pocket!" "Instant Q&A Anywhere" Presentation (2000)	<input type="checkbox"/>
11	Norman Cohen et al., iQueue: A Pervasive Data Composition Framework, pp. 146-153 IEEE (2002)	<input type="checkbox"/>
12	Matti Hamalainen & Joseph Sakach, Wireless Surveys: Responses in the Actual Context – Instantly (2000)	<input type="checkbox"/>
13	Jamie Cattell, The mobile internet revolution and its implications for research, Research International Japan, (2001)	<input type="checkbox"/>
14	Triple-S XML The Survey Interchange Standard – A standard for moving surveys between survey packages on various hardware and software platforms v. 1.1 (2001)	<input type="checkbox"/>
15	Gad Nathan, Methodologies for internet surveys and other telesurveys, Hebrew University (June 2001)	<input type="checkbox"/>
16	Rachel Bellamy et al., Designing an E-Grocery Application for a Palm Computer: Usability and Interface Issues, IEEE Personal Communication (2001)	<input type="checkbox"/>
17	Kari Mikkonen, Feedback System to Support Interactive Planning (2001)	<input type="checkbox"/>
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19	Ryan M. Donahue, Palmques: A Palm Os Questionnaire System With Database Connectivity (2002)	<input type="checkbox"/>
20	Survey Workbench / Entryware (no later than 2001)	<input type="checkbox"/>

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Payne

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21	Tim Mace, A handy technology, Market Research Society (April 2001)	<input type="checkbox"/>
22	Stephen Jenkins & Tony Solomonides, Connecting Bits and Pieces : Context Tokens in Survey Design (2001)	<input type="checkbox"/>
23	Robert A. Dennis & Sanjiv S. Gambhir, InternetQuestion and Answer (iQ&A): A Web-Based Survey Technology, vol. 4 IEEE Transactions on Information Technology in Biomedicine, (2000)	<input type="checkbox"/>

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-11
Name/Print	Scott R. Zingerman	Registration Number	35422

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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Application Number		12910706
Filing Date		2010-10-22
First Named Inventor	Payne	
Art Unit	2451	
Examiner Name	BACKHEAN TIV	
Attorney Docket Number	71855/10-351	

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	2	7085672	B2	2006-08-01	ISHII et al.	
	3	7349873	B2	2008-03-25	GINSBERG	
	4	7370032	B2	2008-05-06	LEHNERT	
	5	7475339	B2	2009-01-06	HOLLOWAY et al.	
	6	7509499	B2	2009-03-24	von MUELLER et al.	
	7	7539656	B2	2009-05-26	FRATKINA et al.	
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9	20020119433	A1	2002-08-29	Calender	
10	20020002482	A1	2002-01-03	THOMAS	
11	20020035633	A1	2002-03-21	BOSE et al.	
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20	20030220831	A1	2003-11-27	SON
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3	Paul D. Greene, Handheld Computers as Tools for Writing and Managing Field Data, vol. 13 Field Methods pp. 181-197 (2001)	<input type="checkbox"/>
4	Visor Handheld User Guide, Handspring, Inc. (1999-2000)000	<input type="checkbox"/>
5	Development Kit for Handspring Handheld Computers – Release 1.0, Handspring, Inc. (1999)	<input type="checkbox"/>
6	Dave Johnson, Handheld Management Can Be A Handful, InfoWeek.Com News, 03/26/2001	<input type="checkbox"/>
7	JTECH and TOUCHPAK Join Forces to Develop New Wireless Technologies for Restaurant Guests and Operators Elected to Suburban Lodges Board, 05/24/2001	<input type="checkbox"/>
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9	Manish Malik, MDC: A Mobile Data Collection System For Pocket PC (2002)	<input type="checkbox"/>
10	Daniel Barbara, Mobile Computing and Databases – A Survey, vol.11 IEEE Transactions on Knowledge and Data Engineering (1999)	<input type="checkbox"/>
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Attorney Docket Number	71855/10-351	

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14	nHand Solutions, Inc. (2000)	<input type="checkbox"/>
15	Conducting Surveys With Personal Digital Assistants, NRCS – Natural Resources Inventory and Analysis Institute	<input type="checkbox"/>
16	S.M. Nusser et al., Using Personal Digital Assistants to Collect Survey Data (1996)	<input type="checkbox"/>
17	Sarah Nusser et al., Web-Based Survey Tools (1998)	<input type="checkbox"/>
18	Palm OS Programmer's Companion (Preliminary) (1996-1999)	<input type="checkbox"/>
19	Handbook for Palm m500 Series Handhelds (1998-2001)	<input type="checkbox"/>
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21	Palm OS Programmer's Companion (1996-1999)	<input type="checkbox"/>
22	Handbook for the Palm VII Handheld (1998-2000)	<input type="checkbox"/>
23	James Niccolai, Palm VII Goes Wireless, IDG News, 12/02/1998	<input type="checkbox"/>
24	Neil Rhodes, and Julie McKeethan, Palm Programming: The Developer's Guide (1998)	<input type="checkbox"/>

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27	David Pogue, PalmPilot: The Ultimate Guide, O'Reilly & Associates, Inc. (1998)	<input type="checkbox"/>
28	PalmPilot Handbook (1997)	<input type="checkbox"/>
29	Getting Started with the Palm VII Organizer (1998)	<input type="checkbox"/>
30	PC World's Enterprise Technology: Real Wireless on the Go (1998-2012)	<input type="checkbox"/>
31	James Pitkow and Mimi Recker, Using the Web as a survey tool: Results from the second WWW user survey (1995)	<input type="checkbox"/>

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Name/Print	Scott R. Zingerman	Registration Number	35422

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	Filing Date		2010-10-22	
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5	Computing Services – Carnegie Mellon Wireless Andrew, Download the Supported Drivers (2000)	<input type="checkbox"/>
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7	Computing Services – Carnegie Mellon Online Documentation, Wireless Andrew Frequently Asked Questions – A Computing Services Publication, 10/26/1999	<input type="checkbox"/>
8	CatScan – The Scanning-Optimized Database Software for the Palm Computing Platform webpage (2000)	<input type="checkbox"/>
9	Franklin Chen et al., Using Handheld Devices for Tests in Classes (2000)	<input type="checkbox"/>
10	ePQA – The e-Commerce PQA Enhancer from Stevens Creek Software – Winner of the Best PQA Award at PalmSource '99 (Palm Developers Conference) webpage	<input type="checkbox"/>
11	TechTalk Transcript, Wireless Networking Directions with Charles "Chuck" Bartel, Carnegie Mellon University, 10/21/1999	<input type="checkbox"/>

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13	Alex Hills, TechTalk Transcript - Directions in Wireless Networking, 02/25/1999	<input type="checkbox"/>
14	Carnegie Mellon Plans Four-Fold Expansion to Its High-Speed Wireless Network (2000)	<input type="checkbox"/>
15	Rachel K. Sobel, CMU campus makes another advance in the computing world – it goes wireless, PG News 11/29/1999	<input type="checkbox"/>
16	Mark Houser, CMU to become wireless campus, Tribune Review, 3/9/2001	<input type="checkbox"/>
17	On Hand – Inventory and Asset Tracking Software for the Palm Computing Platform (1999)	<input type="checkbox"/>
18	Stevens Creek Software – Software for the Palm Computing Platform, 09/06/2012	<input type="checkbox"/>
19	Take An Order! (1998-2000)	<input type="checkbox"/>
20	Steven R. Layson and Robert E. Manning, Evaluating Multiple Dimensions of Visitors' Tradeoffs Between Access and Crowding at Arches National Park Using Indifference Curve Analysis; (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>
21	John Weisberg and Jay Beaman, Effective Survey Automation, Published in Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station; (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>
22	Amy L. Sheaffer et al., Weighting Issues in Recreation Research and in Identifying Support for Resource Conservation Management Alternatives; (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>

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23	Kirk Sinclair and Barbara A Knuth, Intervention for the Collaborative Use of Geographic Information Systems by Private Forest Landowners: A Meaning Centered Perspective; (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>
24	Benjamin Wang et al., Estimating Social Carrying Capacity Through Computer Simulation Modeling: An Application to Arches National Park, Utah; (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>
25	Andrew Hill, Jay Beaman, and Joseph O'Leary, Does the Suggestion That Respondents Recall Events Chronologically Significantly Influence the Data Collected?; (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>
26	Gloria Sanders et al., Importance-Performance Analysis: An Application to Michigan's Natural Resources (Article from the Proceedings of the 2000 Northeastern Recreation Research Symposium, April 2000, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station)	<input type="checkbox"/>
27	Ray Rischpater, Was the SpringPort Wireless Ethernet Module worth the wait? 07/01/2001	<input type="checkbox"/>
28	Shawn Barnett, Omnisky Minstrel S – The service just gets better and better, Pen Computing (2001)	<input type="checkbox"/>
29	Shawn Barnett, Visor Phone – Phone and PDA merge into one, Pen Computing (2001)	<input type="checkbox"/>
30	Alberto H.F. Laender and Berthier A. Riveiro-Neto, A Brief Survey of Web Data Extraction Tools (June 2002)	<input type="checkbox"/>
31	Ryan M. Donahue, Palmques: A Palm Os Questionnaire System With Database Connectivity (2002)	<input type="checkbox"/>
32	Richard C. Waters, Time Synchronization In Spline, Mitsubishi Electric Research Laboratories, (1996)	<input type="checkbox"/>
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34	Manish Malik, MDC: A Mobile Data Collection System for Pocket PC, (2002)	<input type="checkbox"/>
35	Sawako-Eeva Hayashi, Development Of Mobile Tokens Handling Application: Applying The User-Centered Design Approach, (2001)	<input type="checkbox"/>
36	Karen Brannen, Intelligent Use of Metadata in the Questionnaire Design Process (June 2001)	<input type="checkbox"/>
37	S.M. Nausser et al., Using Personal Digital Assistants To Collect Survey Data, (1996)	<input type="checkbox"/>
38	Stuart Speedie et al., PDA Support for Outpatient Clinical Clerkships: Mobile Computing for Medical Education, Amia Inc, (2001)	<input type="checkbox"/>
39	Elske Ammenwerth et al., Mobile information and communication tools in the hospital, vol. 57 International Journal of Medical Informatics, (2000)	<input type="checkbox"/>
40	Stephen Jenkins and Tony Solomondes, Connecting Bits and Pieces: Context Tokens in Survey Design	<input type="checkbox"/>
41	M.R. Tribhuvan and Shabana Pirzade, Ensuring Data Storage Security in Cloud Computing through Two-Way Handshake Based on Token Management, IEEE Computer Society (2010)	<input type="checkbox"/>
42	Robert C. Goldstein and Christian Wagner, Database Management With Sequence Trees And Tokens, vol. 9 IEEE Transactions on Knowledge and Data Engineering (1997)	<input type="checkbox"/>
43	Paul Lettieri and Mani B. Srivastava, Advances in Wireless Terminals, IEEE Personal Communications (1999)	<input type="checkbox"/>
44	Christoffer Anderson and Patrik Svensson, Mobile Internet – An industry-wide paradigm shift?, vol. 4 Ericsson Review (1999)	<input type="checkbox"/>

Receipt date: 02/12/2013

Application Number

12910706

12910706 - GAU: 2451

Filing Date

2010-10-22

First Named Inventor

Payne

Art Unit

2451

Examiner Name

BACHHEAN TIV

Attorney Docket Number

71855/10-351

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45	Steve Aronagh-Walter, Mobile Data In Transport & Distribution: A Practical Guide For Professional User, vol. 1 Supply Chain Practice (1999)	<input type="checkbox"/>
46	AvantGo 4.0	<input type="checkbox"/>
47	Avant Go - Administrator Guide for AvantGo M-Business Server, Version 4.2 (2001)	<input type="checkbox"/>
48	Peter Brusilovsky and Philip Miller, Course Delivery Systems for the Virtual University (2001)	<input type="checkbox"/>
49	CSI MobileLink Overview, Business Solutions (2001)	<input type="checkbox"/>

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Receipt date: 02/12/2013

Application Number	12910706	12910706 - GAU: 2451
Filing Date	2010-10-22	
First Named Inventor	Payne	
Art Unit	2451	
Examiner Name	BACHHEAN TIV	
Attorney Docket Number	71855/10-351	

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-12
Name/Print	Scott R. Zingerman	Registration Number	35422

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Receipt date: 01/16/2013

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

12910706 - GAI: 2451

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	Filing Date		2010-10-22	
	First Named Inventor	Payne		
	Art Unit		2451	
	Examiner Name			
	Attorney Docket Number		71855/10-351	

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	1	7085800	B2	2006-08-01	Abbott, et al.	

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	Attorney Docket Number		71855/10-351	

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-01-16
Name/Print	Scott R. Zingerman	Registration Number	35422

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Index of Claims 	Application/Control No. 12910706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID
	Examiner BACKHEAN TIV	Art Unit 2451

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

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

CLAIM		DATE								
Final	Original	03/09/2011	09/16/2012	03/26/2013						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
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	8	✓	✓	✓						
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	11	✓	✓	✓						
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	29		✓	✓						
	30		✓	✓						
	31		✓	✓						

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Application Number	12910706
Filing Date	2010-10-22
First Named Inventor	Payne
Art Unit	2451
Examiner Name	BACKHEAN TIV
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	2	5684990		1997-11-04	BOOTHBY	
	3	5842195		1998-11-24	PETERS et al.	
	4	5943676		1999-08-24	BOOTHBY	
	5	6141664		2000-10-31	BOOTHBY	
	6	6151581		2000-11-21	KRAFTSON et al.	
	7	6165811		2000-12-19	PORTER	
	8	6212529	B1	2001-04-03	BOOTHBY et al.	

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9	6405218	B1	2002-06-11	BOOTHBY
10	6421717	B1	2002-07-16	KLOBA et al.
11	6826540	B1	2004-11-30	PLANTEC et al.
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	2	20020007303	A1	2002-01-17	BROOKLER et al.	
	3	20020107531	A1	2002-08-08	SINGH et al.	
	4	20020143610	A1	2002-10-03	MUNYER	
	5	20020160773	A1	2002-10-31	GRESHAM et al.	

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6	20030093405	A1	2003-05-15	MAYER
7	20030126010	A1	2003-07-03	BARNS-SLAVIN
8	20030198934	A1	2003-10-23	SENDOWSKI et al.
9	20040117244	A1	2004-06-17	SCOTT
10	20040210472	A1	2004-10-21	NEW et al.
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	1	WO0184433	WO	A1	2001-11-08	Mobliss, Inc.		<input type="checkbox"/>

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Filing Date

2010-10-22

First Named Inventor

Payne

Art Unit

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Attorney Docket Number

71855/10-351

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1	GIRARDET, ET AL., "EFFICIENT REPRESENTATION AND STREAMING OF XML CONTENT OVER THE INTERNET MEDIUM", 07/30/2000, Page(s) 67-70, Publisher: MULTIMEDIA AND EXPO 2000/ICME 2000.	<input type="checkbox"/>
2	PETSAS, ET AL. , "WAP-Based personalised health care services; ", "Proceedings of the 23rd Annual International Conference of the IEEE Engineering in Medicine and Biology Society", 10/25/2001, Page(s) 3536-3539, Volume 1 of 4	<input type="checkbox"/>
3	ANONYMOUS, "WAP BINARY XML CONTENT FORMAT", 06/24/1999, Page(s) 1-14, Published in: INTERNET DOCUMENT (ONLINE)	<input type="checkbox"/>

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-06
Name/Print	Scott R. Zingerman	Registration Number	35422

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

Unified Patents

Exhibit 1002

Page 2340 of 2584

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

NOTICE OF APPEAL FROM THE EXAMINER TO THE PATENT TRIAL AND APPEAL BOARD		Docket Number (Optional) 71855/10-351	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] On <u>October 9, 2013</u>		In re Application of Payne	
Signature <u><i>Jamie A. Robinson</i></u>		Application Number 12/910,706	Filed 10/22/2010
Typed or printed name <u>Jamie A. Robinson</u>		For SYSTEM AND METHOD FOR DATA MANAGEMENT	
		Art Unit 2451	Examiner BACKHEAN TIV

Applicant hereby **appeals** to the Patent Trial and Appeal Board from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 800.00

- Applicant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: \$ 400.00
- Applicant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: \$ _____
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 060540.
- Payment made via EFS-Web.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/AIA/22) or equivalent) is enclosed.
For extensions of time in reexamination proceedings, see 37 CFR 1.550.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the


- applicant.
- attorney or agent of record
Registration number 42214
- attorney or agent acting under 37 CFR 1.34
Registration number _____

Signature *Terry L. Watt*Typed or printed name Terry L. WattTelephone Number 918/599-0621Date October 9, 2013**NOTE:** This form must be signed in accordance with 37 CFR 1.33. See CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*. *Total of 1 form(s) is/are submitted.

This collection of information is required by 37 CFR 41.20(b)(1) and 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 450, Alexandria, VA 22313-1450.

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 71855/10-351	
Application Number 12/910,706		Filed 10/22/2010	
For SYSTEM AND METHOD FOR DATA MANAGEMENT			
Art Unit 2451		Examiner BACKHEAN TIV	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 200	\$ 100	\$ 50
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 600	\$ 300	\$ 150
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1400	\$ 700	\$ 350
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 2200	\$ 1100	\$ 550
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 3000	\$ 1500	\$ 750
<input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>06-0540</u> . <input checked="" type="checkbox"/> Payment made via EFS-Web.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant.			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>42214</u> .			
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number _____.			
 _____ Signature		<u>October 9, 2013</u> Date	
<u>Terry L. Watt</u> Typed or printed name		<u>918/599-0621</u> Telephone Number	
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.*			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Patent Application Fee Transmittal

Application Number:	12910706
Filing Date:	22-Oct-2010
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Filer:	Terry L. Watt/Jamie Robinson
Attorney Docket Number:	71855/10-351

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of Appeal	2401	1	400	400

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Unified Patents

Exhibit 1002

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	2253	1	700	700
Miscellaneous:				
Total in USD (\$)				1100

Electronic Acknowledgement Receipt

EFS ID:	17084951
Application Number:	12910706
International Application Number:	
Confirmation Number:	8703
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Customer Number:	22206
Filer:	Terry L. Watt/Jamie Robinson
Filer Authorized By:	Terry L. Watt
Attorney Docket Number:	71855/10-351
Receipt Date:	09-OCT-2013
Filing Date:	22-OCT-2010
Time Stamp:	16:37:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1100
RAM confirmation Number	3855
Deposit Account	060540
Authorized User	ROBINSON, JAMIE A.

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

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and classification fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Unfiled Patents
Exhibit 1002

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	SCANNED_NoticeOfAppeal_10-09-2013.pdf	105338 a685f771f9dd9e0ae7675b1974afa384c88c cdff	no	1
Warnings:					
Information:					
2	Extension of Time	SCANNED_PetitionForEOT_10-09-2013.pdf	97496 a38e0de7562f6e0301b76f04c463d7920b7 1941c	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32106 1be51a7a4371888d3dd99af8dae8e468228 1208e	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			234940		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)**

Application Number	12910706	Filing Date	2014-05-09	Docket Number (if applicable)	71855/10-351	Art Unit	2451
First Named Inventor	PAYNE			Examiner Name	BACKHEAN TIV		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

Other _____

Enclosed

Amendment/Reply

Information Disclosure Statement (IDS)

Affidavit(s)/ Declaration(s)

Other
Annotated versions of previously filed Information Disclosure Statements.

MISCELLANEOUS

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 06-0540

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Patent Practitioner Signature

Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/terry l. watt/	Date (YYYY-MM-DD)	2014-05-09
Name	Terry L. Watt	Registration Number	42214

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Payne	Confirmation No.: 8703
Application No.: 12/910,706	Art Unit: 2451
Filed: 10/22/2010	Examiner: BACKHEAN TIV
Title: SYSTEM AND METHOD FOR DATA MANAGEMENT	
Attorney Docket No.: 71855/10-351	

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

**APPLICANT'S SUBMISSION UNDER 37 C.F.R. 1.114 ACCOMPANYING REQUEST
FOR CONTINUED EXAMINATION**

This submission under 37 C.F.R. 1.114 is filed in conjunction with Applicant's Request for Continued Examination of the above-referenced application and is responsive to the Final Office Action mailed 04/09/2013. Please consider the instant filing to be a Petition for a Five Month Extension of Time to Respond. A **USPTO credit card payment form PTO 2038 is attached to this filing or charge to a credit card will be authorized through EFS Web filing.** Please amend the application as follows:

In the Specification:

Not Applicable

In the claims:

This listing of claims will replace all prior versions and listings of the claims in this application.

1. (*Currently Amended*) A method for managing data including the steps of:
 - (a) creating a questionnaire comprising a series of questions customized for a location;
 - (b) tokenizing said questionnaire[[;]], thereby producing a plurality of device independent tokens representing said questionnaire;
 - (c) transmitting said plurality of tokens to a remote computing device;
 - (d) when said remote computing device is proximate to said location, executing at least a portion of said plurality of tokens representing said questionnaire ~~at~~ within said remote computing device to collect a response from a user;
 - (e) transmitting at least a portion of said response from the user to a server in real time via a network; and
 - (f) storing said response at said server.

2. (*Previously Presented*) The method for managing data of claim 1 further comprising the step of:
 - (g) translating said response to a format recognizable by a particular computer program; and
 - (h) accessing the translated response from a computer executing said particular computer program.

3. *(Previously Presented)* The method for managing data of claim 1 wherein step (a) includes the substeps of:
- (a) creating a questionnaire by:
 - (i) entering a series of questions into a questionnaire design computer program;
 - (ii) identifying within said questionnaire design computer program the type of response allowed for each question of said series of questions; and
 - (iii) identifying within said questionnaire design computer program a branching path in said questionnaire for each possible response to each question of said series of questions.
4. *(Previously Presented)* The method for managing data of claim 1 wherein step (b) includes the substeps of:
- (b) tokenizing said questionnaire thereby producing a plurality of tokens representing said questionnaire by:
 - (i) assigning at least one token to each question of said series of questions;
 - (ii) assigning at least one token to each response called for in said series of questions to identify the type of response required; and
 - (iii) assigning at least one token to each branch in said questionnaire to identify the required program control associated with said branch.

5. *(Previously Presented)* The method of data management of claim 1 wherein the transmission of said tokens in step (c) occurs via the network of step (e).

6. *(Currently Amended)* A method for modifying a questionnaire used in data management according to the method of claim 1 including the steps of:
 - (a) making at least one incremental change to a portion of the questionnaire;
 - (b) tokenizing said at least one incremental change to said questionnaire;
 - (c) transmitting at least a portion of said tokens resulting from step (b) to a remote computing device in real time, said transmitted tokens comprising less than the entire tokenized questionnaire;
 - (d) incorporating said transmitted tokens into said questionnaire at said remote computing device.

7. *(Currently amended)* A method for collecting survey data from a user and making responses available via the Internet on the Web, comprising:
 - (a) designing a questionnaire customized for a particular location having branching logic on a first computer platform;
 - (b) automatically transferring said designed questionnaire to at least one loosely networked computer;
 - (c) when said loosely networked computer is proximate to said particular location, executing said transferred questionnaire on said loosely networked computer, thereby collecting responses from the user;

- (d) automatically transferring via the loose network any responses so collected in real time to a central computer; and,
 - (e) making available via the Internet ~~on the Web~~ any responses transferred to said central computer in step (d).
8. *(Previously Presented)* The method for collecting survey data according to claim 7 further comprising:
- (f) assessing a charge for each transferred response received by said central computer.
9. *(Currently Amended)* A method for managing data transfers between computers including the steps of:
- (a) creating a questionnaire at a first location in a first computer located at a second location, said first location and said second location being connected by a network;
 - (b) tokenizing said questionnaire to produce a plurality of device independent tokens;
 - ~~(c)~~(b) transmitting said tokenized questionnaire to a remote computer via said network, said remote computer running an OIS;
 - ~~(d)~~(e) modifying said questionnaire with incremental changes at a third location in said first computer located at said second location;
 - (e) tokenizing said incremental changes;
 - ~~(f)~~(d) transmitting said tokenized incremental changes from said first computer to said remote computer via said network; and,

- (g)(e) modifying said questionnaire in said remote computer with said incremental changes.
10. *(Previously presented)* The method for managing data transfers between computers according to claim 9 wherein said first location and said third location are the same.
11. *(Previously presented)* The method for managing data transfers between computers according to claim 9 wherein said third location is at said remote computer.
12. *(Currently Amended)* A method for managing data comprising the steps of:
- (a) establishing communications between a handheld computing device and an originating computer;
 - (b) receiving within said handheld computing device a transmission of a tokenized questionnaire customized for a particular location from said originating computer, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (c) ending said communications between said handheld computing device and said originating computer;
 - (d) after said communications has been ended, when said handheld computing device is proximate to said particular location
 - (d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user, and,

- (d2) storing within said computing device said at least one response from the user;
 - (e) establishing communications between said handheld computing device and a recipient computer; and,
 - (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer.
13. (*Currently Amended*) The method for managing data according to Claim 12, wherein step (b) comprises the steps of:
- (b1) creating a questionnaire,
 - (b2) tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire,
 - (b3) storing said plurality of tokens on a computer readable medium accessible by said originating computer,
 - (b4) accessing said stored plurality of tokens from said originating computer,
 - (b5) transmitting said stored plurality of tokens from said originating computer to said handheld computing device, and,
 - (b6) receiving within said handheld computing device said transmission of said tokenized questionnaire from said originating computer.
14. (*Previously Presented*) The method for managing data according to Claim 12, wherein said originating computer and said recipient computer are a same computer.

15. *(Previously Presented)* The method for managing data according to Claim 12, wherein said step (d1) comprises the steps of:
- (i) requiring a user to authenticate with said handheld computing device,
 - (ii) only if the user is able to authenticate with said handheld computing device, executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user, and,
 - (iii) if the user is unable to authenticate with said handheld computing device, taking no further action.
16. *(Previously Presented)* The method for managing data according to Claim 12, wherein said questionnaire comprises at least one question.
17. *(Previously Presented)* The method for managing data according to Claim 16, wherein at least one of said at least one question is selected from a group consisting of a food quality question, a service quality question, a waiting time question, a store number question, a location question, a time question, a date question, a temperature question, and a time of day question.
18. *(Previously presented)* The method for managing data according to Claim 12, wherein step (a) comprises the step of establishing communications via a global computer network between said handheld computing device and said originating computer.

19. *(Currently Amended)* A method for managing data comprising the steps of:
- (a) establishing communications between a handheld computing device and an originating computer, said handheld device having at least a capability to determine a current location thereof;
 - (b) receiving within said handheld computing device a transmission of a tokenized questionnaire customized for a particular location, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (c) ending said communications between said handheld computing device and said originating computer;
 - (d) after said communications has been terminated, when said handheld computing device is proximate to said particular location
 - (d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least said current location of said handheld computing device, and,
 - (d2) storing within said handheld computing device said current location;
 - (e) establishing communications between said handheld computing device and a recipient computer; and,
 - (f) transmitting at least one value representative of said stored current location to said recipient computer.
20. *(Previously Presented)* The method for managing data according to Claim 19 wherein said current location of said handheld computing device is determined using GPS.

21. *(Previously Presented)* The method for managing data according to Claim 19, wherein said originating computer and said recipient computer are a same computer.
22. *(Canceled)*
23. *(Canceled)*
24. *(Currently Amended)* A method for managing data comprising the steps of:
 - (a) establishing communications between a handheld computing device and an originating computer;
 - (b) receiving within said handheld computing device a transmission of a tokenized questionnaire from said originating computer, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (c) ending said communications between said handheld computing device and said originating computer;
 - (d) after said communications has been ended,
 - (d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a first user, and,
 - (d2) storing within said computing device said at least one response from the first user;

- (e) establishing communications between said handheld computing device and a recipient computer;
 - (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer; and,
 - (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user.
25. *(Previously Presented)* The method for managing data according to Claim 24, wherein the first user and the second user are a same user.
26. *(Currently Amended)* A method for managing data comprising the steps of:
- (a) within a central computer, accessing at least one user data item stored in a recipient computer, wherein said at least one data item is obtained via the steps of:
 - (1) establishing communications between a handheld computing device and an originating computer;
 - (2) receiving within said handheld computing device a transmission of a tokenized questionnaire, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (3) ending said communications between said handheld computing device and said originating computer;
 - (4) after said communications has been ended,
 - (i) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device,

- (ii) presenting said at least one question to a user;
 - (iii) receiving at least one response from the user to each of said presented at least one question,
 - (iv) storing at least one value representative of said at least one response within said handheld computing device;
- (5) establishing a communications link between said handheld computing device and a recipient computer;
- (6) transmitting said stored at least one value representative of said at least one response stored within said handheld computing device to said recipient computer; and,
- (7) storing within said recipient computer any of said transmitted at least one value representative of said at least one response, thereby creating said at least one user data item stored in said recipient computer; and,
- (b) forming a visually perceptible report from any of said at least one stored user data item.

27. *(Previously Presented)* The method according to Claim 26, wherein said central computer and said recipient computer are a same computer.

28. *(Currently Amended)* A method for managing data comprising the steps of:

- (a) establishing communications between a handheld computing device and an originating computer;

- (b) receiving within said handheld computing device a transmission of a tokenized questionnaire, said tokenized questionnaire comprising a plurality of device independent tokens;
- (c) ending said communications between said handheld computing device and said originating computer;
- (d) after said communications have been ended,
 - (d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one item of data, and,
 - (d2) storing within said handheld computing device said at least one item of data;
- (e) establishing communications between said handheld computing device and a recipient computer; and,
- (f) transmitting at least one value representative of said at least one item of data to said recipient computer.

29. *(Previously Presented)* A method for managing data according to Claim 28, wherein at least one of said at least one item of data is selected from a group consisting of a GPS location, a temperature, an event timing, a current date, a current time, a user authentication information, an item of text, a numeric item, a time stamp, a user response, and, a user response to a question.

30. *(Previously Presented)* A method for managing data according to Claim 28, wherein said established communications between said handheld computing device and said originating computer is established using the Internet.

31. *(Previously Presented)* A method for managing data according to Claim 28, wherein said originating computer and said recipient computer are a same computer.

REMARKS

Amendments to the Specification

Not applicable.

Amendments to the Claims

Claim 7 has been amended to replace each instance of the well-understood term “Web” with “Internet” as required by the Examiner. The “Internet” is referenced numerous places in the application (e.g., *see* Abstract) and, as such, this amendment does not constitute new matter.

Claims 1, 9, 12, 13, 19, 24, 26, and 28 have been amended to require that when a questionnaire is tokenized a plurality of device independent tokens are produced. This aspect of the invention is discussed in several places in the instant specification (*see*, e.g., Col. 2, lines 8-26) and, as such, these amendments do not constitute new matter.

Claims 1, 6, and 7 have been amended to require that transmission occur in real-time if a connection is available. As is made clear in, for example, the instant application (e.g., Col. 4, line 61 – Col. 5, line 5) real time communications are an inherent part of “loosely networked” and, further, each occurrence of “networked” is presumed to be “loosely networked” per the identified passage. As such, these amendments do not constitute new matter.

Claims 1, 7, 12, and 19 have been amended to require two things. First, a questionnaire that is customized for a particular location; and, second, execution of the questionnaire when the device on which it is resident is located proximate to the location for

which the questionnaire for which it was customized. This option is discussed throughout the application but a specific example of this may be in the “mystery shopper” example discussed in Col. 10, lines 21 – 49 *et seq.* As such, this amendment does not constitute new matter.

NOTICE OF COENDING REEXAMINATION AND IPR

Applicant would make the Examiner aware that the issued patent that is the parent of this case, USPN 7,822,816 (hereinafter the '816 patent), is currently under challenge in two forms:

Ex Parte Reexamination Application No.: 90/012,829 filed April 3, 2013; and

Inter Partes Review No.: IPR2014-00140 filed November 11, 2013.

REQUIREMENT FOR INFORMATION

The Examiner has indicated that the IDSs submitted by Applicant 2/6/13, 2/11/13, and 2/12/13 represent multiple thousands of pages of disclosure which meets the test of a "long list". Thus it is said that if Applicant desires that any of the references included in the IDSs are to be considered, such IDSs must be submitted again with the most relevant documents underlined.

In response, Applicant notes the Examiner's comments regarding the previously filed *Information Disclosure Statement* (IDS) and apologizes for the sheer bulk of the submission. Applicant would inform the Examiner that the IDSs identified above were based on materials that were provided to Applicant in bulk in the course of litigating the '816 patent and have not been fully reviewed by counsel for Applicant. Thus, counsel for Applicant has not formed an opinion as to which are the most relevant documents among those provided by the defendants in the patent infringement lawsuit.

That being said, Applicant would state that, with respect to the Ex Parte Reexamination proceeding identified above, the Requestor has expressed a belief that the

following eight references, alone or in combination, raise a substantial new question of patentability:

U.S. Patent No. 5,704,029 to Wright (“Wright”);

U.S. Patent No. 6,477,373 to Rappaport et al. (“Rappaport”);

U.S. Patent No. 6,584,464 to Warthen (“Warthen”);

U.S. Patent Application Publication No. 2002/0007303 to Brookler et al. (“Brookler”);

European Patent Application EP 0779,759 to Rossmann (“Rossmann”);

PCT Published Application WO 99/33390 to Benigno (“Benigno”);

U.S. Patent No. 5,991,771 to Falls et al. (“Falls”); and

U.S. Patent No. 5,442,786 to Bowen (“Bowen”).

Appropriately annotated versions of the previously filed IDS’s are included herewith.

Additionally, Applicant would inform the examiner that additional art has been cited in the *Inter Partes* Review identified above. Such art will be submitted in the form of an IDS.

CLAIM OBJECTIONS AND REJECTIONS

Claim Rejections – 35 USC 112

The examiner states:

Claims 7,8 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-ALA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the Application/Control subject matter which the inventor or a joint inventor, or for pre-ALA the applicant regards as the invention. As per claim 7, 8, recites "the Web", there is insufficient antecedent basis for this limitation in the claim.

Applicant respectfully submits that one of ordinary skill in the art would understand that “the Web” refers to the World Wide Web. According to Wikipedia:

The World Wide Web (abbreviated as WWW or W3, commonly known as the web) is a system of interlinked hypertext documents accessed via the Internet.

See http://en.wikipedia.org/wiki/World_Wide_Web (emphasis removed). MPEP § 2173.05(e) states “A claim term is indefinite when it contains words or phrases whose meaning is unclear.” Applicant respectfully submits that the term “the Web” would be abundantly clear to one skilled in the art. Although the term “web” is used throughout the application (e.g., *Abstract*, col. 8, lines 29-33, etc.), out of an abundance of caution, Applicant has amended Claim 7 to recite “the Internet.”

Claim Rejections - 35 USC § 103

The Examiner states:

Claims 1-7, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr. (Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 2002/0007303 issued to Brookler et al. (Brookler).

With regard to Claim 1, the Examiner states:

Wright however does not explicitly teach tokenizing said questionnaire; (e) transmitting at least a portion of said response from the user to a server via a network; and (f) storing said response at said server. Wright however does suggest that the questionnaire is tokenized (Figs. 1-11, Abstract, col. 25, lines 1-50).

In reply, Applicant would note that Claim 1 has been amended to require device independent tokens, a questionnaire that has been customized for a location, and execution of the questionnaire when the remote computing device is brought proximate to the location.

Nothing in Wright, Warthen, or Brookler – alone or in combination – teaches or suggests that such might be possible. As such, it is believed that Claim 1 is allowable over the art of record.

In addition, Applicant respectfully disagrees that Wright Figs.1-11, Abstract, and col.25, lines 1-50, either individually or collectively, suggest a tokenized questionnaire. At best, the figures and passages relied upon suggest a relatively simplistic scripting language that resides alongside a questionnaire to validate data, sound an alarm, display a message, quit, launch another form, skip to another question, and so forth. Wright at Col. 7, ll. 14-18. There is no suggestion that the questionnaire is tokenized, thereby producing a plurality of device independent tokens.

Further, Warthen's tokenizer merely separates a sentence into individual words or groups of words. A Warthen token is just a word, it does not represent the word, it is the word itself, nothing more and nothing less. "Tokenizer 150 converts the initial user query into a list of words and provides the list to parser 155." Warthen at col. 5, ll. 28-30.

Warthen receives the transmission of the user's untokenized query on the server side and tokenizes the query locally. There is no transmission of a tokenized questionnaire to a remote computing device as required by Claim 1: Warthen's tokenizing operations occur locally on the server side and the results are used there. Warthen Figure 1(b).

Further, applying the tokenization scheme of Warthen to Wright would be nonsensical. Warthen's tokenizer simply pulls individual words out of the submitted questions for further

processing, to find an equivalent “well-formed question.” Wright’s questions needs no further processing, only answers are processed. Thus there is no motivation to combine Wright and Warthen and even if they were combined, there is no suggestion to transmit the tokens to a remote computing device as required by Claim 1 step (c).

In addition, neither Wright nor Warthen suggest that a token may be executable, as required by step (d) of Claim 1. Warthen forwards his list of words, or tokens, to a normalizer which substitutes canonical words that are synonymous, or nearly so, for the tokenized words. Warthen col. 5, ll. 26-56. These are not the executable tokens of the present invention.

In the Office Action, the Examiner goes on to state:

Wright in view of Warthen does not explicitly teach (e) transmitting at least a portion of said response from the user to a server via a network; and (f) storing said response at said server. Brookler explicitly teaches (e) transmitting at least a portion of said response from the user to a server via a network; and (f) storing said response at said server (Fig.1, para.0033)

Applicant notes that the term “network” is expressly defined in the specification of the present application at 0027 where it is stated:

With regard to the present invention, the term “loosely networked” is used to describe a networked computer system wherein the devices on the network are tolerant of intermittent network connections and, in fact, tolerant of the type of network connection available. In particular, if any communication connection is available between devices wishing to communicate, network transmissions occur normally, in real time. If a network connection is unavailable at that moment, the information is temporarily stored in the device and later transmitted when the network connection is restored. **Unless otherwise specified, hereinafter the terms “network” or “networked” refer to loosely networked devices** (emphasis added).

Thus, Claim 1 step (e) of the instant application requires the transmission to occur in a loosely networked fashion. Neither Wright, Warthen, nor Brookler discuss special handling of

intermittent connections, and therefore none of these references suggest a loosely networked connection.

Accordingly, a number of the limitations of Claim 1 are simply not present in the suggested combination, such as: step (c) requires transmitting the plurality of tokens to a remote device, but Warthen only deals with tokens internally; step (d) requires executing a portion of the tokens which is not disclosed in any of the cited references; and step (e) requires a loosely networked connection. Further, Claim 1 has been amended to require the questionnaire to be customized for a particular location in step (a) and, in step (d) that the questionnaire is executed when the remote computing device is proximate the particular location. These limitations are not found in any of the cited references.

Applicant submits that, in view of the foregoing, Claim 1, as amended, is thus in condition for allowance. Claims 2-6 depend from Claim 1 and inherit its limitation and, as such, are allowable at least for the reasons stated with regard to Claim 1. Additionally, Applicant would note that with regard to Claim 5, step (c) would likewise require the network to behave in a loosely networked fashion. Reconsideration and allowance of Claims 1 and 2-6 is respectfully requested.

With regard to Claims 7 and 9, the Examiner states:

As per claims 7, 9-11 rejected for the same reasons as set forth above or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

Claim 7 has been amended *supra* to require a questionnaire that has been customized for a location and is executed when the loosely networked computer is proximate to the location.

Nothing in any of the foregoing references teaches or even suggests such a possibility. As such, and for at least this reason, Claim 7 is believed to be allowable.

Applicant would further point out that Claim 7, step (b) requires a loosely networked computer and, as discussed above with regard to Claim 1, none of the cited references disclose a network tolerant of intermittent connections. Likewise, step (d) requires a loosely networked connection.

For at least the reasons set out above, Applicant submits that Claim 7 is thus in condition for allowance. Claim 8 depends from Claim 7 and is believed to be allowable at least for the reasons discussed with regard to Claim 7.

Reconsideration and allowance of Claims 7 and 8 is respectfully requested.

Similarly with respect to Claim 9, as amended, steps (a) and (d) of Claim 9 require a loosely networked connection which is not taught or even suggested in any of the cited references. Further, as discussed with regard to Claim 1, the tokens of Warthen are simply not the same as the tokens of the present invention. Warthen's tokens do not represent a word or group of words, they are the words.

For at least the reasons set out above, Applicant submits that Claim 9 is thus in condition for allowance. Claims 10 and 11 depend from Claim 9 and are allowable at least for the reasons discussed with regard to Claim 9. Reconsideration and allowance of Claims 9-11 is respectfully requested.

With regard to claim 8, the Examiner states:

Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr. (Wright) in view of US Patent 6,584,464 issued to Warthen in

view of US Publication 2002/10007303 issued to Brookler et al. (Brookler) in view of US Publication 2001/0056374 issued to Joao.

As per claim 8, Wright in view of Warthen in view of Brookler does not explicitly teach the method for collecting survey data according to claim 7 further comprising: (f) assessing a charge for each transferred response received by said central computer. Joao explicitly teaches (f) assessing a charge for each transferred response received by said central computer (para.0230).

Claim 8 depends from Claim 7 and is therefore allowable at least for the reasons discussed with regard to Claim 7. However, Applicant would note that Claim 8 further requires assessing a charge for each transferred response received at the central computer, while Joao generates a reward for the person taking the survey. Claim 8 generates revenue for the service collecting the survey results while Joao is a reward system for the user. Applicant respectfully submits that the charge assessed in Claim 8 is fundamentally different than the reward earned in Joao. Reconsideration and allowance of Claim 8 is respectfully requested.

In the Office Action the Examiner States:

Claims 12-14, 16-18, 24,25, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport).

As discussed with regard to Claim 1, as amended, the tokens of the combination of Wright and Warthen are not the device independent tokens of the present invention.

The Examiner further states:

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen in view of Brookler to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

Without conceding that any of the elements identified above may be found in the references of record and assuming *arguendo* (unless otherwise challenged) that the teachings relied upon are indeed found in the cited references, Applicant believes that the combination relied upon would fail to yield Applicant's invention.

First with respect to Claim 12, this claim, as amended, requires a questionnaire customized for a particular location, tokenizing of the questionnaire to produce a plurality of device independent tokens, and when the device on which the tokenized questionnaire is resident is brought proximate to the location for which the questionnaire was designed, execution of at least a portion of the tokens. Nothing in reference of record teaches an approach such as that set out in Claim 12.

More particularly, Rappaport teaches a system and method for *maintaining connectivity* in a voice / data environment. (Abstract). A central idea in this patent is that voice is given priority over "time-insensitive" data streams (col. 2, lines 44-48). Low priority streams are put on "hold" if resources are not available *or* terminated without warning if resources are not available.

Of course, the term "server" cannot be found in Rappaport and that is for a reason. Rappaport's invention sits *between* the handheld and the server and is only designed to maintain connectivity between two devices that communicate over a network that is monitored by this

invention – to the extent that is possible. If there are insufficient resources, the data or voice connection is unceremoniously dropped, apparently without warning. *See*, e.g., 17 in Fig. 1, 28 and 31 in Fig. 2, and associated text). Consider the following (col. 5, lines 2-16) from Rappaport:

In contrast, mobile users that are engaged in mobile computing (or other forms of data transmission) may have the capability to operate semi-autonomously since data communications with the network are packetized and not necessarily streamed. So with appropriate network design, a temporary disconnection from the network may be transparent to the user. Thus, implementing the techniques described herein, short term radio link disconnections, which are frequent in mobile communications, need not result in failed sessions, discarded information and wasted use of resources. The current invention concerns maintaining connectivity for sessions that have gained admission to network resources. It is applicable to both circuit switched and packet switched systems.

Rappaport's goal is maintaining continuously end-to-end network connectivity where possible so that the remote device is oblivious to being temporarily disconnected from the recipient of the communication.

Obviously, in the world of Wright/Warthen/Brookler, receipt of a questionnaire does not signal disconnection from the remote server. The word "disconnect" does not appear in any one of Wright, Warthen, Brookler. All three references have flow charts depicting operation of their respective data handling, yet there is no provision in any flow chart for handling the case where a connection is not available. This is in complete opposition to the assertion that a user can continue to operate while waiting on the connection to be restored as required in Claim 12, step (d).

In short, the combination of Wright, Warthen, and Brookler does not teach a method wherein when services are not available from a remote server, a questionnaire is executed on the local device. Instead, all three references assume a connection is available as needed.

As such, combining Wright, Warthen, Brookler, and Rappaport would yield a system which is premised on the notion, at its core, that network connectivity between a mobile user and a remote computer is always present. If such connectivity is not available, Rappaport teaches abrupt failure of the associated program by active termination. The other three references are simply silent on the issue. Thus, the combination does not yield Applicant's invention and it is believed that at least this aspect of the analysis of the art of record is flawed, and the instant rejection of same should be withdrawn and the associated claims confirmed.

Further, Applicant would dispute that Rappaport teaches a true method of reconnection. Per that reference, the only time a "reconnection" between the mobile user and the intended recipient can take place is if the data transmission (or voice) is only temporarily suspended. If the session is dismissed (e.g., by exceeding the maximum allowable number of reconnect attempts, unavailability of resources as might occur in connection with a cell-tower-to-cell-tower hand off, Figures 1 and 2 of Rappaport) the connection is terminated and no reconnection is possible or is taught.

Finally, Applicant would argue that the cited combination Rappaport is improper at least because Rappaport is nonanalogous art. At the time the invention was made, an inventor who was searching for a solution to the problem of how to manage data on portable computing devices when they cannot be connected to a remote server would *not* look to the management of telephone switching systems for inspiration. The inventor would either look to the technology of mobile computing devices or remote computing devices. It would be completely unreasonable to think that such inventor would look to massive telephone networks and techniques for controlling links when phone calls are handed off between towers to create the instant invention. Recall, *In re Wood*, 599 F.2d 1032, 202 USPQ 171, 174 (C.C.P.A. 1979)

The determination that a reference is from a nonanalogous art is . . . twofold. First, we decide if the reference is within the field of the inventor's endeavor. If it is not, we proceed to determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved.

Here, systems and methods of managing telephone switching operations are certainly *not* within the instant inventor's field of endeavor nor are they reasonably pertinent to the particular problem which the inventor was trying to solve. Payne (the inventor) was not trying to develop a system by which a remote computing device could maintain continuous communication with a remote server but, instead, how such a device could operate in the face of uncertain network connections.

Accordingly, a number of claim limitations that are required by the instant claims are simply not present in the suggested combination. With regard to Claim 12 and as described above: step (b) requires receiving a tokenized questionnaire, Warthen's tokens are not device independent tokens as described in the present application and Warthen does not transmit any tokens; step (c) ending the communications between the handheld and originating computer; and step (d) executing a token on the handheld; step (e) reestablishing communications. Further, Claim 12 has been amended to include the limitation that the questionnaire is customized for a particular location in step (b) and, in step (d) that the questionnaire is executed when the handheld computing device is proximate the particular location. These limitations are not found in any of the cited references.

Applicant submits that, for at least the reasons set out above, Claim 12 is thus in condition for allowance. Claims 13, 14, and 16-18 depend from Claim 12 and are allowable at least for the reasons discussed with regard to Claim 12. Reconsideration and allowance of Claims 12-14 and 16-18 is respectfully requested.

In the Office Action the Examiner States:

As per claim 24 rejected for the same reasons as set for above, and further (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user (Brookler, para.0033) or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

With regard to Claim 24 as amended, Applicant would note that, as discussed with regard to Claim 12, a number of claim limitations are simply not present in the cited references. Specifically, step (b) requires receiving a tokenized questionnaire comprised of a plurality of device independent tokens, Warthen's tokens are not tokens as described in the present application and Warthen does not transmit any tokens; step (c) ending the communications between the handheld and originating computer; and step (d) executing a token on the handheld; step (e) reestablishing communications.

Accordingly and at least for the reasons set out above, Claim 24 is thus believed to be in condition for allowance. Reconsideration and allowance of Claim 24 is respectfully requested.

In the Office Action the Examiner states:

As per claims 25, 28-31 rejected for the same reasons as set forth above or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

With regard to Claim 25, the claim depends from Claim 24 and is allowable at least for the reasons set forth with regard to Claim 24. Reconsideration and allowance of Claim 25 is respectfully requested.

With regard to Claim 28, the steps (a)-(e) are identical to Claim 24, steps (a)-(e). The discussion of Wright, Warthen, Brookler, and Rappaport is equally applicable to Claim 28. Thus it is believed that Claim 28 is in condition for allowance.

Claims 29-31 depend from Claim 28 and are allowable at least for the reasons stated with regard to Claims 12 and 28. As such, reconsideration and allowance of Claims 28-31 is respectfully requested.

In the Office Action the Examiner states:

Claims 15 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr. (Wright) in view of US Patent 6,584,464 issued to Warthen in view of US Publication 200210007303 issued to Brookler et al. (Brookler) in view of US Patent 6,477,373 issued to Rappaport et al. (Rappaport) in view of US Publication 200210137524 issued to Bade et al. (Bade).

Without conceding that Bade discloses authentication as required in Claim 15, Applicant would note that Claim 15 depends from Claim 12 and is therefore allowable for at least the reasons stated with regard to Claim 12. Reconsideration and allowance of Claim 15 is respectfully requested.

In the Office Action the Examiner states:

Claims 19-21, 26, 27 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr. (Wright) in view of US Patent 6,584,464 issued to Warthen in view of in view of US Patent 6,477,373 issued to Rappaport et al. (Rappaport) in view of US Patent 6,462,708 issued to Tsujimoto et al. (Tsujimoto).

With regard to Claim 19, step (b) requires receiving a tokenized questionnaire comprised of a plurality of device independent tokens, Warthen's tokens are not tokens as described in the present application and Warthen does not transmit any tokens and thus, there are no tokens to receive. Further, step (d) requires executing at least a portion of the tokens after communications have ended. None of the cited references disclose off-line operation. Step (e) requires establishing communication between the handheld and a recipient computer. This is not necessarily the same computer, or the same connection, as the communications with the originating computer in step (a). As discussed above, none of the cited references disclose a second communication connection.

Finally, Claim 19, as amended, requires the questionnaire be customized for a particular location and, when the device is proximate to the location, executing at least a portion of the tokens.

Accordingly, Claim 19 is in condition for allowance. Claims 20 and 21 depend from Claim 19 and are allowable at least for the reasons stated with regard to Claim 19. Reconsideration and allowance of Claims 19-21 are respectfully requested.

In the Office Action the Examiner states:

As per claims 26, 27 rejected for the same reasons as set forth above or Admitted Prior Art/Official Notice is taken; the feature is well known and obvious to one ordinary skill in the art.

With regard to Claim 26, as amended, Applicant would note that, as discussed with regard to Claim 12, a number of claim limitations are simply not present in the cited references. Specifically, step (a)(2) requires receiving a tokenized questionnaire comprised of a plurality of

device independent tokens, Warthen's tokens are not tokens as described in the present application and Warthen does not transmit any tokens; step (a)(3) ending the communications between the handheld and originating computer; and step (a)(4)(i) executing a token on the handheld; step (a)(5) reestablishing communications. Accordingly, Claim 26 is thus in condition for allowance. Claim 27 depends from Claim 26 and is therefore allowable at least for the reasons stated with regard to Claim 26. Reconsideration and allowance of Claims 26 and 27 is respectfully requested.

In the *Response to Arguments* the Examiner States:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (Le., a token is a logical, mathematical, or branching operation) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant would note that these remarks do not seem to take into consideration the term "executing" that can be found in all of the independent claims of the instant application, except Claim 9. "Executing" is a term of art which implies some degree of processing (i.e. logical, mathematical, branching, etc.). Wikipedia defines "execution: as:

Execution in computer and software engineering is the process by which a computer or a virtual machine performs the instructions of a computer program. The instructions in the program trigger sequences of simple actions on the executing machine. Those actions produce effects according to the semantics of the instructions in the program.

Programs for a computer may execute in a batch process without human interaction, or a user may type commands in an interactive session of an interpreter. In this case the "commands" are simply programs, whose execution is chained together.

The term **run** is used almost synonymously. A related meaning of both "to run" and "to execute" refers to the specific action of a user starting (or *launching* or *invoking*) a program, as in "Please run the ... application." [http://en.wikipedia.org/wiki/Execution_\(computing\)](http://en.wikipedia.org/wiki/Execution_(computing)) (emphasis in original).

Thus, the limitation is expressly included in the claims, and not implicitly read into the claims as suggested in the Office Action.

* * *

This paper is intended to constitute a complete response to the Examiner's Office Action mailed 04/09/2013.

In view of the foregoing, Applicant believes that the rejections and objections offered by the Examiner have been overcome and should be withdrawn. It is further believed that the claims as-filed and as-amended are in condition for allowance and should be passed to the issue branch. Early and favorable action is earnestly solicited.

Respectfully submitted,

05/09/2014
Date

/terry l. watt/
Terry L. Watt
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#31931-v

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12910706	
	Filing Date		2010-10-22	
	First Named Inventor	Payne		
	Art Unit		2451	
	Examiner Name	BACKHEAN TIV		
	Attorney Docket Number		71855/10-351	

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	1	WO0184433	WO	A1	2001-11-08	Mobliss, Inc.		<input type="checkbox"/>

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1	GIRARDOT, ET AL., "EFFICIENT REPRESENTATION AND STREAMING OF XML CONTENT OVER THE INTERNET MEDIUM", 07/30/2000, Page(s) 67-70, Publisher: MULTIMEDIA AND EXPO 2000 ICME 2000.	<input type="checkbox"/>
2	PETSAS, ET AL. , "WAP-Based personalised health care services; ", "Proceedings of the 23rd Annual International Conference of the IEEE Engineering in Medicine and Biology Society", 10/25/2001, Page(s) 3536-3539, Volume 1 of 4	<input type="checkbox"/>
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That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-06
Name/Print	Scott R. Zingerman	Registration Number	35422

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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	35	6393434	B1	2002-05-21	HUANG et al.	
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	38	6466956	B1	2002-10-15	CHO et al.	
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	1	716184	AU		1998-06-04	HENDRICKS et al.		<input checked="" type="checkbox"/>
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	3	2314513	CA	A1	2001-01-26	BARDY		<input checked="" type="checkbox"/>
	4	2387039	CA	A1	2001-04-19	CALLENDER et al.		<input checked="" type="checkbox"/>
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9	1035490	EP	A1	2000-09-13	MACRORY		<input checked="" type="checkbox"/>
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11	2001-216219	JP		2001-08-10	YOSHIKAWA		<input checked="" type="checkbox"/>
12	2001-249914	JP		2001-09-14	OZAWA YASUO		<input checked="" type="checkbox"/>
13	2004-205368	JP		1992-07-27	TAKAMI TOMIO		<input checked="" type="checkbox"/>
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18	WO0060490	WO		2000-10-12	WEISER		<input checked="" type="checkbox"/>
19	WO0075779	WO	A2	2000-12-14	LAMBERT et al.		<input checked="" type="checkbox"/>

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23	WO0148660		A1	2001-07-05	PLANTEC et al.	<input checked="" type="checkbox"/>
24	WO0169436		A1	2001-09-20	HAMALAI-NEN et al.	<input checked="" type="checkbox"/>
25	WO0173628		A2	2001-10-04	NAKAZAWA et al.	<input checked="" type="checkbox"/>
26	WO9007830			1990-07-12	FISCHER	<input checked="" type="checkbox"/>
27	WO9014725			1990-11-29	DOUGLAS	<input checked="" type="checkbox"/>
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	9	Wireless Agenda Presentation (2000)	<input type="checkbox"/>

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Examiner Name	BACKHEAN TIV		
Attorney Docket Number	71855/10-351		

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

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See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-11
Name/Print	Scott R. Zingerman	Registration Number	35422

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Electronic Patent Application Fee Transmittal

Application Number:	12910706
Filing Date:	22-Oct-2010
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Filer:	Terry L. Watt/Carol Welch
Attorney Docket Number:	71855/10-351

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 5 months with \$0 paid	2255	1	1500	1500

Unified Patents

Exhibit 1002

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				2100

Electronic Acknowledgement Receipt

EFS ID:	18993069
Application Number:	12910706
International Application Number:	
Confirmation Number:	8703
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Customer Number:	22206
Filer:	Terry L. Watt/Carol Welch
Filer Authorized By:	Terry L. Watt
Attorney Docket Number:	71855/10-351
Receipt Date:	09-MAY-2014
Filing Date:	22-OCT-2010
Time Stamp:	16:36:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$2100
RAM confirmation Number	2934
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi-Part (.zip)	Pages (if appl.)
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1	Request for Continued Examination (RCE)	5-9-2014_RCE.pdf	697867 e468ac12615ebe5c67c659b9ac5a5a0729745651	no	3
Warnings:					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	5-9-2014_Amendment.pdf	273000 ed73cbbdc9beaf60397f7268d8bc2e140a567d91a8	no	35
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	AnnotatedIDS_filed_2-6-2013.pdf	445696 ca740b854d47d2b974a199f3e03c13fab0e8c6c	no	6
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
4	Information Disclosure Statement (IDS) Form (SB08)	ANNOTATEDIDS_filed_2-11-2013.pdf	626102 095dae606eafabe0dec8b83c2ee0d0d5cda b101c	no	9
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
5	Information Disclosure Statement (IDS) Form (SB08)	2ndAnnotatedIDS_filed_2-11-2013.pdf	833699 92fa9af512edd7909025ac2e46317857739820	no	13
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
6	Fee Worksheet (SB06)	fee-info.pdf	32179 9828eac70052ff94e4ff259f84143916ec7882c1	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2908543		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12910706	
	Filing Date		2010-10-22	
	First Named Inventor	Payne		
	Art Unit	2451		
	Examiner Name	BACKHEAN TIV		
	Attorney Docket Number	71855/10-351		

U.S.PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	7072354	B1	2006-07-04	BEATHARD	
	2	7085672	B2	2006-08-01	ISHII et al.	
	3	7349873	B2	2008-03-25	GINSBERG	
	4	7370032	B2	2008-05-06	LEHNERT	
	5	7475339	B2	2009-01-06	HOLLOWAY et al.	
	6	7509499	B2	2009-03-24	von MUELLER et al.	
	7	7539656	B2	2009-05-26	FRATKINA et al.	
	8	6058416		2000-05-02	MUKHERJEE et al.	

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9	7392308	B2	2008-06-24	AUFRICHT et al.	
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If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010044827	A1	2001-11-22	ZHUK	
	2	20010049688	A1	2001-12-06	FRATKINA et al.	
	3	20010052009	A1	2001-12-13	DESAI et al.	
	4	20010052122	A1	2001-12-13	NANOS et al.	
	5	20020004739	A1	2002-01-10	ELMER et al.	
	6	20020029154	A1	2002-03-07	MAJOOR	
	7	20020029159	A1	2002-03-07	LONGDEN	
	8	20020052774	A1	2002-05-02	PARKER et al.	

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9	20020119433	A1	2002-08-29	CALLENDER
10	20020002482	A1	2002-01-03	THOMAS
11	20020035633	A1	2002-03-21	BOSE et al.
12	20020038302	A1	2002-03-28	MAEDA
13	20020099595	A1	2002-07-25	KELLY et al.
14	<u>20020147850</u>	A1	2002-10-10	<u>RICHARDS et al.</u>
15	20030060284	A1	2003-03-27	HAMALAINEN et al.
16	20030097457	A1	2003-05-22	SARAN et al.
17	20030113692	A1	2003-06-19	KAMANO
18	20030115467	A1	2003-06-19	AULL et al.
19	20030204498		2003-10-30	LEHNERT

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20	20030220831	A1	2003-11-27	SON	
21	20030088452	A1	2003-05-08	KELLY	
22	20040002301	A1	2004-01-01	ROSS et al.	
23	20050075919	A1	2005-04-07	KIM	

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FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² i	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	3613898	DE	A1	1987-10-29	Siemens AG		<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	Clarence C. Gravlee, Mobile Computer-Assisted Personal Interviewing with Handheld Computers: The Entryware System 3.0, vol. 14 Field Methods pp. 322-326 (2002)	<input type="checkbox"/>
	2	Clarence C. Gravlee et al., Handheld Computers for Direct Observation of the Social and Physical Environment, Field Methods	<input type="checkbox"/>

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3	Paul D. Greene, Handheld Computers as Tools for Writing and Managing Field Data, vol. 13 Field Methods pp. 181-197 (2001)	<input type="checkbox"/>
4	Visor Handheld User Guide, Handspring, Inc. (1999-2Visor Handheld User Guide, Handspring, Inc. (1999-2000)000)	<input type="checkbox"/>
5	Development Kit for Handspring Handheld Computers – Release 1.0, Handspring, Inc. (1999)	<input type="checkbox"/>
6	Dave Johnson, Handheld Management Can Be A Handful, InformatioWeek.Com News, 03/26/2001	<input type="checkbox"/>
7	JTECH and TOUCHPAK Join Forces to Develop New Wireless Technologies for Restaurant Guests and Operators Elected to Suburban Lodges Board, 05/24/2001	<input type="checkbox"/>
8	Lowering Merchandising Costs and Increasing Competitiveness(2000)	<input type="checkbox"/>
9	Manish Malik, MDC: A Mobile Data Collection System For Pocket PC (2002)	<input type="checkbox"/>
10	Daniel Barbara, Mobile Computing and Databases – A Survey, vol.11 IEEE Transactions on Knowledge and Data Engineering (1999)	<input type="checkbox"/>
11	James Bryan Zimmerman, Mobile Computing: Characteristics, Business Benefits, and the Mobile Framework (1999)	<input type="checkbox"/>
12	Johnson Dave, Handheld Management Can Be A Handful, Information Week (2001)	<input type="checkbox"/>
13	nHand Survey (2002)	<input type="checkbox"/>

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Attorney Docket Number	71855/10-351

14	nHand Solutions, Inc. (2000)	<input type="checkbox"/>
15	Conducting Surveys With Personal Digital Assistants, NRCS – Natural Resources Inventory and Analysis Institute	<input type="checkbox"/>
16	S.M. Nusser et al., Using Personal Digital Assistants to Collect Survey Data (1996)	<input type="checkbox"/>
17	Sarah Nusser et al., Web-Based Survey Tools (1998)	<input type="checkbox"/>
18	Palm OS Programmer's Companion (Preliminary) (1996-1999)	<input type="checkbox"/>
19	Handbook for Palm m500 Series Handhelds (1998-2001)	<input type="checkbox"/>
20	Palm Desktop Software for Mac User's Guide (1995-2001)	<input type="checkbox"/>
21	Palm OS Programmer's Companion (1996-1999)	<input type="checkbox"/>
22	Handbook for the Palm VII Handheld (1998-2000)	<input type="checkbox"/>
23	James Niccolai, Palm VII Goes Wireless, IDG News, 12/02/1998	<input type="checkbox"/>
24	Neil Rhodes, and Julie McKeehan, Palm Programming: The Developer's Guide (1998)	<input type="checkbox"/>

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	Examiner Name	BACKHEAN TIV	
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25	Handbook for the Palm IIIc Organizer (1998-1999)	<input type="checkbox"/>
26	PalmPilot Professional Handbook (1997)	<input type="checkbox"/>
27	David Pogue, PalmPilot: The Ultimate Guide, O'Reilly & Associates, Inc. (1998)	<input type="checkbox"/>
28	PalmPilot Handbook (1997)	<input type="checkbox"/>
29	Getting Started with the Palm VII Organizer (1998)	<input type="checkbox"/>
30	PC World's Enterprise Technology: Real Wireless on the Go (1998-2012)	<input type="checkbox"/>
31	James Pitkow and Mimi Recker, Using the Web as a survey tool: Results from the second WWW user survey (1995)	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-11
Name/Print	Scott R. Zingerman	Registration Number	35422

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/910,706	Filing Date 10/22/2010	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT	05/09/2014	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	* 29	Minus	** 31	= 0	X \$40 = 0	
	Independent <small>(37 CFR 1.16(h))</small>	* 8	Minus	***8	= 0	X \$210 = 0	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	0	

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

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/JAMES MASON/

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

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	01 FC : 2255	-1500.00	OP
	02 FC : 2801	-600.00	OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): PAYNE	Confirmation No.: 8703
Application No.: 12/910,706	Art Unit: 2451
Filed: 12/06/2011	Examiner: BACKHEAN TIV
Title: SYSTEM AND METHOD FOR DATA MANAGEMENT	
Attorney Docket No.: 71855/10-351	

REQUEST FOR REFUND OF DOUBLE-BILLED FEE

VIA EFS WEB

Refund Branch
United States Patent and Trademark Office
Alexandria, VA

ATTENTION: Refund Section, Accounting Division, Office of Finance

1. REFUND REQUEST

This is a request for a refund, of charges to AMEX Card No. 3787 503318 31010 in the amount of \$2100.00. On 05/09/2014, Applicant electronically filed a Response to Final Office Action and Request for Continued Exam in the above-referenced patent application. Applicant paid the 5 month extension of time fee and the RCE fee. It appears from our AMEX account statement (copy attached) that the USPTO billed our AMEX card twice in the amount of \$2100.00. **Please credit Applicant's AMEX account in the amount of \$2100.00.**

2. FEES CHARGED FOR WHICH REFUND REQUESTED

	<u>Amount of Refund Requested</u>
<u>X</u> Fee Code #2255 – Extension for Response-Five Months	\$1500.00
<u>X</u> Fee Code #2801 – Request for Continued Exam (1 st)	\$600.00

TOTAL REFUND REQUESTED \$2,100.00


3. MANNER OF REFUND

Please make refund by crediting AMEX Account No. 3787 503318 31010.

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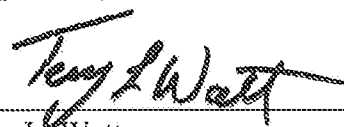
Date of Deposit: 06/06/2014

Typed Name: Carol Welch

Signature: 

Respectfully submitted,

By


Terry L. Watt

Attorney for Applicant

Reg. No. 42214

Date: 04/10/2012

Telephone No.: 918/599-0621

37522-v1



Prepared For
ANDREA EVERAGE
FELLERS SNIDER TUL

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Page 3 of 4

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05/15/14	US PATENT TRADEMARK ALEXANDRIA VA 999999941 6478068 74103 05/14/14 Maintenance Fee Due at 11.5 years ROC NUMBER 9999999413500006	99999994135	1,850.00	# 11
05/16/14	US PATENT TRADEMARK ALEXANDRIA VA 999999941 14277444 74103 05/15/14 Utility application filing Utility Search Fee Utility Examination Fee Late Filing Fee for Oath or Declaration ROC NUMBER 9999999413600006	99999994136	1,740.00	# 13
05/16/14	US PATENT TRADEMARK ALEXANDRIA VA 999999941 3536585 99999 05/15/14 ELECTRONIC FILING- FILING SEC8 AFFIDAVIT ELECTRONIC FILING-FILING SEC15 AFFIDAVIT ROC NUMBER 9999999413600006	99999994136	300.00	# 15
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05/16/14	US PATENT TRADEMARK ALEXANDRIA VA 999999941 13375696 74103 05/15/14 Utility Appl Issue Fee ROC NUMBER 9999999413600006	99999994136	960.00	# 16

002 002 02595 R0499A2B 02595 (uuu)



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Credit Card Statement for - My American Express2 (Account#: ...010) For 05/2014

Total Sale :	\$34,786.89	Total Refund :	\$0.00
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Type	Transaction Status	Date Posted	Name/Number	Attorney Docket Number	Charges/ Credits (-)	Charge Date
Sale	Active	05/06/2014	13298081	71857/11-514	\$1,300.00	05/05/2014
Sale	Active	05/07/2014	14216448	46803/14-051	\$70.00	05/07/2014
Sale	Active	05/07/2014	14216377	46803/14-052	\$70.00	05/07/2014
Sale	Active	05/08/2014	78915677	88690/13-171	\$150.00	05/07/2014
Sale	Active	05/09/2014	13447956	71778/12-097	\$480.00	05/08/2014
Sale	Active	05/09/2014	61990566	66397/14-134	\$130.00	05/08/2014
Sale	Active	05/12/2014	12910705	71855/10-351	\$2,100.00	05/09/2014
Sale	Active	05/12/2014	12910705	71855/10-351	\$2,100.00	05/09/2014
Sale	Active	05/13/2014	14094290	66068/13-237	\$140.00	05/12/2014
Sale	Active	05/13/2014	6478068		\$1,850.00	05/13/2014
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Sale	Active	05/15/2014	3536585	67599/08-246	\$300.00	05/14/2014
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Sale	Active	05/19/2014	29431851	46604/12-460	\$560.00	05/19/2014
Sale	Active	05/21/2014	62000891	47279/14-142	\$130.00	05/20/2014
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EFS ID:	19236645
Application Number:	12910706
International Application Number:	
Confirmation Number:	8703
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Customer Number:	22206
Filer:	Terry L. Watt/Carol Welch
Filer Authorized By:	Terry L. Watt
Attorney Docket Number:	71855/10-351
Receipt Date:	06-JUN-2014
Filing Date:	22-OCT-2010
Time Stamp:	15:52:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Refund Request	RequestForRefund.pdf	1561080 <small>c91003b003c644fccc498f1f66594cfbbbd1027a</small>	no	4

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Information:

Exhibit 1002

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

Document code: WFEE

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/9/10,706 10/22/2010 J. David Payne 71855/10-351 8703

22206 7590 11/06/2015
FELLERS SNIDER BLANKENSHIP
BAILEY & TIPPENS
THE KENNEDY BUILDING
321 SOUTH BOSTON SUITE 800
TULSA, OK 74103-3318

EXAMINER

TIV, BACKHEAN

ART UNIT PAPER NUMBER

2451

MAIL DATE DELIVERY MODE

11/06/2015

PAPER

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

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

Art Unit: 2451

The present application is being examined under the pre-AIA first to invent provisions. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

Detailed Action

Claims 1-21, 24-31 are pending in this application. Claims 22,23 were cancelled.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/9/14 has been entered.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 5/9/14 has been considered. The references that were highlighted/underlined by the applicant were considered, however all other references that were not highlighted were not considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

(a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

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The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-6, 9-31 rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention.

The applicant has provided col.2, lines 8-26, as providing support for when the questionnaire is tokenized a plurality of device independent tokens are produced, however it appears that the citation does not support this limitation and further this citation is in the background of the specification. The citation describes a language to be compiled to produce an intermediate language such as i-code and tokens.

To overcome the necessity of compiling a program for a particular machine, an application may be written in an interpreted language, or a language which can be compiled to produce an intermediate language (i.e., a language that falls somewhere between source code and object code) such as i-code or tokens. In such a scheme, each device is provided with a run-time package which can execute the compiled i-code or tokens, the runtime package having been written for that particular device, thus, only the run-time package needs to be modified in order to port a program to a new computing environment. Once the run-time package is installed, any application authored in the language and which has been compiled to i-code will run on the target device. Unfortunately, such languages typically lack effective

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optimization and generally do not provide a broad range of support for hardware resources. Regardless of the language selected, whether compiled, interpreted, or whatever, software coding requires at least a nominal degree of programming skill to create the application program.

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

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

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

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6, 12-21 rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

As per claims 1-6, 12-21, the term "proximate" is a relative term which renders the claim indefinite. The term "proximate" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

As per claim 6, recites (c) transmitting at least a portion of said tokens resulting from step (b) to a remote computing device....., is unclear to which step (b) it refers to, since claim 6 has a step (b) and claim 1 has a step (b).

Claim Rejections - 35 USC § 103

The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2451

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7,12-14,16-18,24,25,28-31are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent US Patent 6,163,811 issued to Porter in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport).

As per claim 1, 7, Wright teaches a method for managing data including the steps of: (a) creating a questionnaire comprising a series of questions customized for a location(Figs.1-11, Abstract); (c) transmitting said plurality of tokens to a remote computing device(col.13, lines 38-65); (d) executing at least a portion of said plurality of tokens representing said questionnaire within said remote computing device to collect a response from a user(col.13, lines 38-65; teaches executing script).

Wright however does not explicitly teach

(b)tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire;

(e) transmitting at least a portion of said response from the user to a server in real time via a network; and

(f) storing said response at said server;

(d) when said remote computing device is proximate to said location;

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Claim 7, (e) making available via the Internet any responses transferred to said central computer.

Porter explicitly (b)tokenizing thereby producing a plurality of device independent tokens(col.3, lines 38-65; col.4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Porter in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth(Wright, Abstract, Porter, col.4, lines 50-65).

Wright in view of Porter does not explicitly teach (e) transmitting at least a portion of said response from the user to a server in real time via a network; and (f) storing said response at said server Claim 7, (e) making available via the Internet any responses transferred to said central computer.

Brookler explicitly teaches (e) transmitting at least a portion of said response from the user to a server in real time via a network; and (f) storing said response at said server(Fig.1,5 para.0029,0033,0065; teaches providing real time results); (e) making available via the Internet any responses transferred to said central computer(para.0055-0056; teaches use of HTML and Microsoft IE and Netscape Navigator which used for the Internet).

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Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen to include storing user's responses at the server as taught by Brookler in order to provide the predictable result of having all answered survey questions stored on the server.

One ordinary skill in the art would have been motivated to combine the teachings in order to have a central location, e.g. server, for all results of a survey which provides ease of access for the surveyors(Brookler, para.0002).

Wright in view of Porter in view of Brookler does not explicitly teach when said remote computing device is proximate to said location and a "network" as defined by the applicant as a "loosely networked ".

Rappaport teaches "loosely networked"(Abstract, col.2, lines 44-59).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler to include the known art of connection failure and reconnecting of mobile devices and also processing of data while the data connection is not in use as taught by Rappaport in order to provide the predictable result of a user can take the survey even when there isn't a connection and when the the mobile device reconnects and information is sent.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reliable connectivity and automatically and transparently attempt to reconnect disrupted links(Rappaport, col.1, lines 25-28).

Wright in view of Porter in view of Brookler in view of Rappaport does not explicitly teach when said remote computing device is proximate to said location.

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Wright however, does teach a Joe's Diner's "customer comment card", Fig.2a. The use of "customer comment card" is well known in the art as a form of feedback for services and/or products and is given at the location to be filled out . Wright further teaches taking an electronic survey of Joe's Diner, Fig.2b,c.

Therefore it would have been obvious to one ordinary skill in the art to modify the teaching of Wright in view of Porter in view of Brookler in view of Rappaport to fill out a survey at the location of business, such as Joe's Diner in order to provide the predictable result of providing feedback to the vendor about products or services.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide a system to improve services/products through customer feedback.

As per claim 2, the method for managing data of claim 1 further comprising the step of: (g) translating said response to a format recognizable by a particular computer program; and (h) accessing the translated response from a computer executing said particular computer program(Wright, Figs.1-11, Abstract,Porter, col.3, lines 38-65; col.4, lines 50-65; teaches sending response and also teaching HTML). Official Notice is taken; the art of translating to a particular format is well known in the art a the time of the invention. (see US Publication 2003/0041031 issued to Hedy, claim 1 and US Patent 6,615,212 Fig.7; teaches the art of conversion of data). Therefore it would have been obvious to one ordinary skill in the art to modify the teaching to include translating a response to a format that is recognized by a computer program in order to provide the predictable result of having the response of a survey be translated/converted to a particular format for a browser such as IE to recognize the response. One ordinary skill

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in the art would have been motivated to combine the teaching in order to interpret responses of a survey to improve a restaurant or store's product.

As per claim 3, the method for managing data of claim 1 wherein step (a) includes the substeps of: (a) creating a questionnaire by: (i) entering a series of questions into a questionnaire design computer program (Wright, col.9, lines 10-25); (ii) identifying within said questionnaire design computer program the type of response allowed for each question of said series of questions (Wright, col.11, lines 50-65, Brookler, para.0044-0046); and (iii) identifying within said questionnaire design computer program a branching path in said questionnaire for each possible response to each question of said series of questions (Wright, Figs.1-11, Abstract).

As per claim 4, the method for managing data of claim 1 wherein step (b) includes the substeps of: (b) tokenizing said questionnaire thereby producing a plurality of tokens representing said questionnaire (Porter, col.3, lines 38-65; col.4, lines 50-65) by: (i) assigning at least one token to each question of said series of questions; (ii) assigning at least one token to each response called for in said series of questions to identify the type of response required (Porter, col.3, lines 38-65; col.4, lines 50-65); and (iii) assigning at least one token to each branch in said questionnaire to identify the required program control associated with said branch (Wright, Figs.1-11, Abstract).

Therefore it would have been obvious to one ordinary skill in the art to apply tokenization of Porter to Wright's teachings of creating a survey in order to provide the predictable result of tokenization a survey and responses of a user. One ordinary skill

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in the art would have been motivated to combine the teaching in order to save bandwidth.

As per claim 5, the method of data management of claim 1 wherein the transmission of said tokens in step (c) occurs via the network of step (e) (Brookler, Fig.1, Rappaport, Abstract).

As per claim 6, a method for modifying a questionnaire used in data management according to the method of claim 1 including the steps of:

- (a) making at least one incremental change to a portion of the questionnaire;
- (b) tokenizing said at least one incremental change to said questionnaire (Porter, col.5, lines 20-30);
- (c) transmitting at least a portion of said tokens resulting from step (b) to a remote computing device, said transmitted tokens comprising less than the entire tokenized questionnaire (Porter, col.5, lines 20-30);
- (d) incorporating said transmitted tokens into said questionnaire at said remote computing device (Wright, Figs.1-11, col.16, lines 50-55, Abstract).

As per claim 12, 24, 28 Wright teaches a method for managing data comprising the steps of: (a) establishing communications between a handheld computing device and an originating computer; (b) receiving within said handheld computing device a transmission of a questionnaire from said originating computer, said questionnaire customized for a particular location comprising a plurality of tokens; (d 1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user, and, (d2) storing within

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said computing device said at least one response from the user(Fig.1-11, Abstract, col.13, lines 38-65).

Wright however does not explicitly teach tokenizing said questionnaire and device independent tokens;(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, when said handheld computing device is proximate to said particular location (e) establishing communications between said handheld computing device and a recipient computer; (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer;(g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user.

Porter explicitly tokenizing thereby producing a plurality of device independent tokens(col.3, lines 38-65; col.4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Porter in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth(Wright, Abstract, Porter, col.4, lines 50-65).

Wright in view of Warthen does not explicitly teach ;(c) ending said communications between said handheld computing device and said originating

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computer; (d) after said communications has been ended, when said handheld computing device is proximate to said particular location; (e) establishing communications between said handheld computing device and a recipient computer; (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer; (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user

Brookler explicitly teaches (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer(Fig.1, para.0033); (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user(Brookler, para.0033).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter to include transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer as taught by Brookler in order to provide the predictable result of having all answered survey questions stored on the server.

One ordinary skill in the art would have been motivated to combine the teachings in order to have a central location, e.g. server, for all results of a survey which provides ease of access for the surveyors(Brookler, para.0002).

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Wright in view of Porter in view of Brookler does not explicitly teach ;(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, (e) establishing communications between said handheld computing device and a recipient computer.

Rappaport explicitly teaches the known art of connection failure and reconnecting of mobile devices(Abstract, col.2, lines 44-59).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reconnection to transfer information to a server.

Wright in view of Porter in view of Brookler in view of Rappaport does not explicitly teach when said remote computing device is proximate to said location.

Wright however, does teach a Joe's Diner's "customer comment card", Fig.2a. The use of "customer comment card" is well known in the art as a form of feedback for services and/or products and is given at the location to be filled out and return to the vendor. Wright further teaches the art of sending electronic form for information gathering, col.3, lines 5-67, col.6, lines 1-30.

Therefore it would have been obvious to one ordinary skill in the art to combine the teachings of the prior art to have a customer comment card be sent to and filled out

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by a mobile user at the location of a restaurant in order to provide feedback to the vendor about products or services.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide a system to improve services/products through customer feedback.

As per claim 13, the method for managing data according to Claim 12, wherein step (b) comprises the steps of: (b 1) creating a questionnaire(Wright, col.9, lines 10-25); (b2) tokenizing said questionnaire, thereby producing a plurality of tokens representing said questionnaire(Porter, col.3, lines 38-65; col.4, lines 50-65), (b3) storing said plurality of tokens on a computer readable medium accessible by said originating computer, (b4) accessing said stored plurality of tokens from said originating computer, (b5) transmitting said stored plurality of tokens from said originating computer to said handheld computing device, (Wright, col.11, lines 50-65, Brookler, para.0044-0046); and, (b6) receiving within said handheld computing device said transmission of said tokenized questionnaire from said originating computer(Wright, col.11, lines 50-65, Brookler, para.0044-0046).

As per claim 14, 25,31, wherein said originating computer and said recipient computer are a same computer(Wright, Figs.1-11, col.16, lines50-55, Rappaport, Abstract, col.2, lines 44-59; reconnecting to the computer to send response of survey).

As per claim 16, the method for managing data according to Claim 12, wherein said questionnaire comprises at least one question(Wright, Figs.1-11, col.16, lines50-55, Abstract, Brookler, para.0044-0046).

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As per claim 17, 29 , wherein at least one of said at least one question is selected from a group consisting of a food quality question, a service quality question, a waiting time question, a store number question, a location question, a time question, a date question, a temperature question, and a time of day question(Wright, Figs.1-11, col.16, lines50-55, Abstract, Brookler, para.0044-0046).

As per claim 18,30, wherein step (a) comprises the step of establishing communications via a global computer network/Internet between said handheld computing device and said originating computer(Wright, Figs.1-11, col.16, lines50-55, Brookler, para.0055-0056; teaches use of HTML and Microsoft IE and Netscape Navigator which is commonly for Internet).

Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable r US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent US Patent 6,163,811 issued to Porter in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport). in view of US Publication 2001/0056374 issued to Joao.

As per claim 8, Wright in view of Porter in view of Brookler in view of Rappaport does not explicitly teach the method for collecting survey data according to claim 7 further comprising: (f) assessing a charge for each transferred response received by said central computer.

Joao explicitly teaches (f) assessing a charge for each transferred response received by said central computer(para.0230).

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Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler in view of Rappaport to include assessing a charge for each transferred response received by said central computer as taught by Joao in order to receive compensation, a reward, a rebate, and/or an incentive (Joao, para. 0009).

One ordinary skill in the art would have been motivated to combine the teachings in order to facilitate commerce between any parties and/or any number of parties (Joao, para. 0009).

Claims 15 rejected under 35 U.S.C. 103(a) as being unpatentable over r US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent US Patent 6,163,811 issued to Porter in view of US Publication 2002/0007303 issued to Brookler et al.(Brookler) in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport)in view of US Publication 2002/0137524 issued to Bade et al.(Bade).

As per claim 15, Wright in view of Porter in view of Brookler in view of Rappaport teaches the method for managing data according to Claim 12, wherein said step (dl) comprises the steps of: executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user(Wright, Abstract, Porter, col.4, lines 50-65).

However does not explicitly teach the art of authentication.

Bade explicitly teaches the well known method of authentication(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler in

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view of Rappaport to include the known method of authentication as taught by Bade in order to provide the predictable result of authentication of a device.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide security for a mobile device and information.

Claims 9-11 rejected under 35 U.S.C. 103(a) as being unpatentable over r US Patent US Publication 2002/0147850 issued to Richards et al.(Richards) in view of US Patent US Patent 6,163,811 issued to Porter in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport)

As per claim 9. Richard teaches a method for managing data transfers between computers including the steps of:

(a) creating a questionnaire at a first location(Abstract, survey questions)

(c)transmitting said questionnaire to a remote computer via said network, said remote computer running an OIS(Abstract, Fig.1);

(d) modifying said questionnaire with incremental changes at a third location_in said first computer located l(e) transmitting said incremental changes from said first computer to said remote computer via said network; (f)modifying said questionnaire in said remote computer with said incremental changes(para.33,36; Richards' logic tree is a "questionnaire." Thus, updating Richards' logic tree teaches "making at least one incremental change to a portion of the questionnaire").

Richards however does not explicitly teach (b) tokenizing said questionnaire to produce a plurality of device independent tokens; tokenizing said incremental changes;

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at a first location in a first computer located at a second location, said first location and said second location being connected by a network:

Porter teaches (b) tokenizing said questionnaire to produce a plurality of device independent tokens(col.3, lines 38-65; col.4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Richards to use the known method of tokenizing as taught by Porter and apply it to Richard's incremental survey update in order to provide the predictable result of tokenizing a survey and any changes made to the survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth(Wright, Abstract, Porter, col.4, lines 50-65).

Richards in view of Porter does not explicitly teach a "network" as defined by the applicant as a "loosely networked "; at a first location in a first computer located at a second location, said first location and said second location being connected by a network:

Rappaport teaches "loosely networked" (Abstract, col.2, lines 44-59).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Richards in view of Porter to include the known art of connection failure and reconnecting of mobile devices and also processing of data while the data connection is not in use as taught by Rappaport in order to provide the

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predictable result of a user can take the survey even when there isn't a connection and when the mobile device reconnects and information is sent.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reliable connectivity and automatically and transparently attempt to reconnect disrupted links(Rappaport, col.1, lines 25-28).

Richards in view of Porter in view of Rappaport does not explicitly teach at a first location in a first computer located at a second location.

Official Notice is taken; to have a computer in a first location that resides in a second location interpreted as a computer in an office(first location) of an office building(second location) or having a mobile device in one section(first location) of a restaurant/store(second location) is well known in the art at the time of the invention.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention Richards in view of Porter in view of Rappaport to include the teaching of having a device be at a location of another "location" such as an office of a building or a section of a restaurant/store in order to provide the predictable result of having a device in one location of a store/restaurant for receiving survey questions from that particular location, ie receiving survey questions from a computer within the office building or restaurant/store.

One ordinary skill in the art would have been motivated to combine the teaching in order to provide a system to easily survey users.

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As per claim 10, the method for managing data transfers between computers according to claim 9 wherein said first location and said third location are the same(Richards, Abstract, Fig.1, Porter, Fig.4).

As per claim 11, the method for managing data transfers between computers according to claim 9 wherein said third location is at said remote computer(Richards, Abstract, Fig.1, Porter, Fig.4).

Claims 19-21, 26, 27 rejected under 35 U.S.C. 103(a) as being unpatentable over r US Patent 5,704,029 issued to Wright, Jr.(Wright) in view of US Patent US Patent 6,163,811 issued to Porter in view of US Patent 6,477,373 issued to Rappaport et al.(Rappaport) in view of US Patent 6,462,708 issued to Tsujimoto et al.(Tsujimoto).

As per claim 19,26, Wright teaches method for managing data comprising the steps of: (a) establishing communications between a handheld computing device and an originating computer, (b) receiving within said handheld computing device a transmission of a questionnaire customized for a particular location, said questionnaire comprising a plurality of tokens; (d l) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to (Figs.1-11, Abstract, col.25, lines 1-50).

Wright does not explicitly teach tokenizing a questionnaire; device independent tokens;

(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been terminated, when

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said handheld computing device is proximate to said particular location (e) establishing communications between said handheld computing device and a recipient computer;

said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Porter explicitly tokenizing thereby producing a plurality of device independent tokens(col.3, lines 38-65; col.4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Porter in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth(Wright, Abstract, Porter, col.4, lines 50-65).

Wright in view of Porter does not explicitly teach

(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been terminated, when said handheld computing device is proximate to said particular location (e) establishing

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communications between said handheld computing device and a recipient computer;

said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Rappaport explicitly teaches the known art of connection failure and reconnecting of mobile devices(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reconnection to transfer information to a server.

Wright in view of Porter in view of Rappaport does not explicitly teach said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

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Tsujimoto explicitly teaches the known system of a mobile device with a GPS to determine location(col.1, lines 17-20).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Rappaport to include the use of GPS for mobile devices as taught by Tsujimoto in order to provide the predictable result of a determination of a GPS location of a mobile device.

One ordinary skill in the art would have been motivated to combine the teachings in order to determine of a GPS location of a mobile device.

Wright in view of Porter in view of Rappaport in view of Tsujimoto does not explicitly teach when said remote computing device is proximate to said location.

Wright however, does teach a Joe's Diner's "customer comment card", Fig.2a. The use of "customer comment card" is well known in the art as a form of feedback for services and/or products and is given at the location to be filled out and return to the vendor. Wright further teaches the art of sending electronic form for information gathering, col.3, lines 5-67, col.6, lines 1-30.

Therefore it would have been obvious to one ordinary skill in the art to combine the teachings of the prior art to have a customer comment card be sent to and filled out by a mobile user at the location of a restaurant in order to provide feedback to the vendor about products or services.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide a system to improve services/products through customer feedback.

As per claim 20, the method for managing data according to Claim 19 wherein said current location of said handheld computing device is determined using GPS(Tsujimoto, col.1, lines 17-20).

As per claim 21, 27, wherein said originating computer and said recipient computer are a same computer(Wright, Figs.1-11, col.16, lines50-55, Rappaport, Abstract, col.2, lines 44-59; reconnecting to the computer to send response of survey).

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground of rejection.

Examiner's Remarks

The Office encourages the applicant to point to specific location in the specification for all amendments made in the instant specification and all parent applications in order to advance prosecution of the application.

The cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention.

The examiner is available for Interviews on Tuesday and Wednesday at 10 AM, 1 and 2 PM EST. Please fax an agenda to (571) 273-5654.

Conclusion

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BACKHEAN TIV whose telephone number is (571)272-5654. The examiner can normally be reached on M-T 7-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Backhean Tiv/
Primary Examiner, Art Unit 2451

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*	C	US-5,704,029 A	12-1997	Wright, Jr.; Gerald V.	G06F17/243	345/173
*	D	US-5,757,916 A	05-1998	MacDoran; Peter F.	G01S19/215	342/357.48
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*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Dennis et al, Internet Question and Answer(iQ&A): A Web-Based Survey Technology, June 2000, pages 116-125
	V	
	W	
	X	

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

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*	D	US-6,519,571 B1	02-2003	Guheen; Michael F.	G06Q30/02	705/14.66
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	E	US-				
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	I	US-				
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✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

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

CLAIM		DATE							
Final	Original	03/09/2011	09/16/2012	03/26/2013	11/04/2015				
	1	✓	✓	✓	✓				
	2	✓	✓	✓	✓				
	3	✓	✓	✓	✓				
	4	✓	✓	✓	✓				
	5	✓	✓	✓	✓				
	6	✓	✓	✓	✓				
	7	✓	✓	✓	✓				
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	29		✓	✓	✓				
	30		✓	✓	✓				
	31		✓	✓	✓				

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CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	203	03/09/2011	NT
709	223	03/09/2011	NT
709	224	03/09/2011	NT

SEARCH NOTES		
Search Notes	Date	Examiner
Keyword search using EAST	03/09/2011	NT
UPDATE SEARCH	9/16/2012	BT
UPDATE SEARCH	10/21/2015	BT
	11/4/2015	BT

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

	/BACKHEAN TIV/ Primary Examiner.Art Unit 2451
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Unified Patents

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01/10)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12910706	
	Filing Date		2010-10-22	
	First Named Inventor	Payne		
	Art Unit	2451		
	Examiner Name	BACKHEAN TIV		
	Attorney Docket Number	71855/10-351		

U.S.PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	7072354	B1	2006-07-04	BEATHARD	
	2	7085672	B2	2006-08-01	ISHII et al.	
	3	7349873	B2	2008-03-25	GINSBERG	
	4	7370032	B2	2008-05-06	LEHNERT	
	5	7475339	B2	2009-01-06	HOLLOWAY et al.	
	6	7509499	B2	2009-03-24	von MUELLER et al.	
	7	7559656	B2	2009-05-26	FRATKINA et al.	
	8	6058416		2000-05-02	MUKHERJEE et al.	

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9	7392306	B2	2008-06-24	AUFRICHT et al.
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U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010044827	A1	2001-11-22	ZHUK	
	2	20010049688	A1	2001-12-06	FRATKINA et al.	
	3	20010052009	A1	2001-12-13	DESAI et al.	
	4	20010052122	A1	2001-12-13	NANOS et al.	
	5	20020004739	A1	2002-01-10	ELMER et al.	
	6	20020025154	A1	2002-03-07	MAJOOR	
	7	20020029159	A1	2002-03-07	LONGDEN	
	8	20020052774	A1	2002-05-02	PARKER et al.	

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9	20020419493	A1	2002-08-29	GALLENDER	
10	20020002482	A1	2002-01-03	THOMAS	
11	20020035633	A1	2002-03-21	BOSE et al.	
12	20020038302	A1	2002-03-28	MAEDA	
13	20020009595	A1	2002-07-25	KELLY et al.	
14	<u>20020147850</u>	A1	2002-10-10	<u>RICHARDS et al.</u>	
15	20030060284	A1	2003-03-27	HAMALAINEN et al.	
16	20030097457	A1	2003-05-22	SARAN et al.	
17	20030113692	A1	2003-06-19	KAMANO	
18	20030115467	A1	2003-06-19	AULL et al.	
19	20030204498		2003-10-30	LEHNERT	

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20	20030220831	A1	2003-11-27	SON
21	20030088452	A1	2003-05-08	KELLY
22	20040002301	A1	2004-01-01	ROSS et al.
23	20050075919	A1	2005-07-07	KIM

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FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² i	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	3613898	DE	A1	1987-10-29	Siemens AG		<input type="checkbox"/>

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NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	Clarence C. Gravlee, Mobile Computer-Assisted Personal Interviewing with Handheld Computers: The Entryware System 3.0, vol. 14 Field Methods pp. 322-326 (2002)	<input type="checkbox"/>
	2	Clarence C. Gravlee et al., Handheld Computers for Direct Observation of the Social and Physical Environment, Field Methods	<input type="checkbox"/>

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Attorney Docket Number	71855/10-351

3	Paul D. Greene, Handheld Computers as Tools for Writing and Managing Field Data, vol. 13 Field Methods pp. 181-197 (2001)	<input type="checkbox"/>
4	Visor Handheld User Guide, Handspring, Inc. (1999-2Visor Handheld User Guide, Handspring, Inc. (1999-2000)000)	<input type="checkbox"/>
5	Development Kit for Handspring Handheld Computers – Release 1.0, Handspring, Inc. (1999)	<input type="checkbox"/>
6	Dave Johnson, Handheld Management Can Be A Handful, InfoWeek.Com News, 03/26/2001	<input type="checkbox"/>
7	JTECH and TOUCHPAK Join Forces to Develop New Wireless Technologies for Restaurant Guests and Operators Elected to Suburban Lodges Board, 05/24/2001	<input type="checkbox"/>
8	Lowering Merchandising Costs and Increasing Competitiveness (2000)	<input type="checkbox"/>
9	Manish Malik, MDC: A Mobile Data Collection System For Pocket PC (2002)	<input type="checkbox"/>
10	Daniel Barbara, Mobile Computing and Databases – A Survey, vol.11 IEEE Transactions on Knowledge and Data Engineering (1999)	<input type="checkbox"/>
11	James Bryan Zimmerman, Mobile Computing: Characteristics, Business Benefits, and the Mobile Framework (1999)	<input type="checkbox"/>
12	Johnson Dave, Handheld Management Can Be A Handful, Information Week (2001)	<input type="checkbox"/>
13	nHand Survey (2002)	<input type="checkbox"/>

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Attorney Docket Number	71855/10-351

14	nHand Solutions, Inc. (2000)	<input type="checkbox"/>
15	Conducting Surveys With Personal Digital Assistants, NRCS – Natural Resources Inventory and Analysis Institute	<input type="checkbox"/>
16	S.M. Nusser et al., Using Personal Digital Assistants to Collect Survey Data (1996)	<input type="checkbox"/>
17	Sarah Nusser et al., Web-Based Survey Tools (1998)	<input type="checkbox"/>
18	Palm OS Programmer's Companion (Preliminary) (1996-1999)	<input type="checkbox"/>
19	Handbook for Palm m500 Series Handhelds (1998-2001)	<input type="checkbox"/>
20	Palm Desktop Software for Mac User's Guide (1995-2001)	<input type="checkbox"/>
21	Palm OS Programmer's Companion (1996-1999)	<input type="checkbox"/>
22	Handbook for the Palm VII Handheld (1998-2000)	<input type="checkbox"/>
23	James Niccolai, Palm VII Goes Wireless, IDG News, 12/02/1998	<input type="checkbox"/>
24	Neil Rhodes, and Julie McKeehan, Palm Programming: The Developer's Guide (1998)	<input type="checkbox"/>

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	Attorney Docket Number		71855/10-351

25	Handbook for the Palm IIIc Organizer (1998-1999)	<input type="checkbox"/>
26	PalmPilot Professional Handbook (1997)	<input type="checkbox"/>
27	Davidogue, PalmPilot: The Ultimate Guide, O'Reilly & Associates, Inc. (1998)	<input type="checkbox"/>
28	PalmPilot Handbook (1997)	<input type="checkbox"/>
29	Getting Started with the Palm VII Organizer (1998)	<input type="checkbox"/>
30	PC World's Enterprise Technology: Real Wireless on the Go (1998-2012)	<input type="checkbox"/>
31	James Pitkow and Mimi Becker, Using the Web as a survey tool: Results from the second WWW user survey (1995)	<input type="checkbox"/>

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Examiner Signature	/Backhean Tiv/ (10/21/2015)	Date Considered	
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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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	Examiner Name	BACKHEAN TIV
	Attorney Docket Number	71855/10-351

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

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A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-11
Name/Print	Scott R. Zingerman	Registration Number	35422

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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	Attorney Docket Number		71855/10-351

U.S.PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	5666553		1997-08-08	CROZIER	
	2	5684990		1997-11-04	BOOTHBY	
	3	5842195		1998-11-24	PETERS et al.	
	4	5949976		1999-08-24	BOOTHBY	
	5	6141664		2000-10-31	BOOTHBY	
	6	6154581		2000-11-21	KRAETSON et al.	
	7	<u>6163811</u>		2000-12-19	<u>PORTER</u>	
	8	6212529	B1	2001-04-03	BOOTHBY et al.	

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9	6405218	B1	2002-06-11	BOOTHBY
10	6421717	B1	2002-07-16	KLOBA et al.
11	0020540	B1	2004-11-09	PLANTEG et al.
12	7310350	B1	2007-12-18	SHAO et al.

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U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010056374	A1	2001-12-27	JOAO	
	2	20020007303	A1	2002-01-17	BROOKLER et al.	
	3	20020107931	A1	2002-08-08	SINGH et al.	
	4	20020143610	A1	2002-10-03	MUNYER	
	5	20020160773	A1	2002-10-31	GRESHAM et al.	

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6	20030093405	A1	2003-05-15	MAYER
7	20030126010	A1	2003-07-03	BARNS-SLAVIN
8	20030408034	A1	2003-10-23	SENDOWSKI et al.
9	20040117244	A1	2004-06-17	SCOTT
10	20040210472	A1	2004-10-21	LEW et al.
11	20050009465	A1	2005-01-13	ROSS et al.

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	1	WO0184433	WO	A1	2001-11-08	Mobliss, Inc.		<input type="checkbox"/>

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	Attorney Docket Number	71855/10-351	

1	GIRARDOT, ET AL., "EFFICIENT REPRESENTATION AND STREAMING OF XML CONTENT OVER THE INTERNET MEDIUM", 07/30/2000, Page(s) 67-70, Publisher: MULTIMEDIA AND EXPO 2000 ICME 2000.	<input type="checkbox"/>
2	PETSAS, ET AL. "WAP-Based personalised health care services: " "Proceedings of the 23rd Annual International Conference of the IEEE Engineering in Medicine and Biology Society", 10/25/2001, Page(s) 3536-3539, Volume 1 of 4	<input type="checkbox"/>
3	ANONYMOUS, "WAP BINARY XML CONTENT FORMAT", 06/24/1999, Page(s) 1-14, Published in: INTERNET DOCUMENT (ONLINE)	<input type="checkbox"/>

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Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-06
Name/Print	Scott R. Zingerman	Registration Number	35422

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12910706
	Filing Date		2010-10-22
	First Named Inventor	Payne	
	Art Unit	2451	
	Examiner Name	BACKHEAN TIV	
	Attorney Docket Number	71855/10-351	

U.S.PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	4345315		1982-08-17	CADOTTE et al.	
	2	4603232		1986-07-29	KURLAND et al.	
	3	4926255		1990-05-15	VON KOHORN	
	4	4954939		1990-09-04	COPPEY et al.	
	5	5195183		1993-03-16	MILLER et al.	
	6	5490175		1996-03-05	OYAMA et al.	
	7	5592480		1997-01-07	CARNEY et al.	
	8	<u>5704029</u>		1997-12-30	<u>WRIGHT, JR.</u>	

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9	5784539		1998-07-21	LENZ	
10	5813019		1998-09-22	VAN DE VANTER	
11	5893098		1999-04-06	PETERS et al.	
12	5896502		1999-04-20	SHIEH et al.	
13	5913040		1999-06-15	RAKAVY et al.	
14	6000000		1999-12-07	HAWKINS et al.	
15	6006274		1999-12-21	HAWKINS et al.	
16	6034621		2000-03-07	KAUFMAN	
17	6035324		2000-03-07	CHANG et al.	
18	6061741		2000-05-09	MURPHY, JR. et al.	
19	6065059		2000-05-16	SHIEH et al.	

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20	6088717		2000-07-11	REED et al.	
21	6094654		2000-07-25	VAN HUBEN et al.	
22	6112049		2000-08-29	SONNENFELD	
23	6154748		2000-11-28	GUPTA et al.	
24	6157705		2000-12-05	PERRONE	
25	6183366	B1	2001-02-06	GOLDBERG et al.	
26	6189029	B1	2001-02-13	FUERST	
27	6226739	B1	2001-05-01	EAGLE	
28	6250939	B1	2001-06-26	MINTZ	
29	6260028	B1	2001-07-10	LEE et al.	
30	6298347	B1	2001-10-02	WESLEY	

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	31	6311190		2001-10-30	BAYER et al.
	32	6321252	B1	2001-11-20	BHOLA et al.
	33	6341316	B1	2002-01-22	KLOBA et al.
	34	6380928	B1	2002-04-30	TODD
	35	6393434	B1	2002-05-21	HUANG et al.
	36	6434508	B1	2002-08-13	LIN et al.
	37	6453329	B1	2002-09-17	DODGEN
	38	6466956	B1	2002-10-15	CHO et al.
	39	6502165	B1	2002-12-31	KISHI et al.
	40	6578054	B1	2003-06-10	HOPMANN et al.
	41	6618746	B2	2003-09-09	DESAI et al.

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42	6662192	B1	2003-12-09	REBANE
43	6792244	B2	2004-09-14	ROSS et al.
44	6795828	B2	2004-09-21	RICKETTS
45	6873688	B1	2005-03-29	AARNIO
46	6880084		2005-04-12	BRITTENHAM et al.
47	6968375	B1	2005-11-22	BROWN
48	6993495	B2	2006-01-31	SMITH, JR. et al.
49	7013285	B1	2006-03-14	REBANC
50	7013427	B2	2006-03-14	GRIFFITH

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U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	716184	AU		1998-06-04	HENDRICKS et al.		<input checked="" type="checkbox"/>
	2	2242874	CA		1987-07-24	PECKOVER		<input checked="" type="checkbox"/>
	3	2314513	CA	A1	2001-01-26	BARDY		<input checked="" type="checkbox"/>
	4	2387039	CA	A1	2001-04-19	CALLENDER et al.		<input checked="" type="checkbox"/>
	5	2553120	CA	A1	1994-06-23	HENDRICKS et al.		<input checked="" type="checkbox"/>
	6	0364638	EP	A1	1990-04-25	AINSCOW		<input checked="" type="checkbox"/>
	7	0866590	EP	A2	1998-09-23	WHALEN, et al.		<input checked="" type="checkbox"/>
	8	0875823	EP	A2	1998-11-04	WANG, et al.		<input checked="" type="checkbox"/>

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9	1035490	EP	A1	2000-09-13	MACRORY	<input checked="" type="checkbox"/>
10	1072994	EP	A2	2001-01-31	BARDY	<input checked="" type="checkbox"/>
11	2001-216219	JP		2001-08-10	YOSHIKAWA	<input checked="" type="checkbox"/>
12	2001-249914	JP		2001-09-14	OZAWA YASUO	<input checked="" type="checkbox"/>
13	2004-205368	JP		1992-07-27	TAKAMI TOMIO	<input checked="" type="checkbox"/>
14	4288664	EP	A	1992-10-13	SACHIKO	<input checked="" type="checkbox"/>
15	2002-006393	KR		2002-01-19	YEONSAM-DONG	<input checked="" type="checkbox"/>
16	WO0013121			2000-03-09	DONOHO et al.	<input checked="" type="checkbox"/>
17	WO0023905			2000-04-27	PORTER	<input checked="" type="checkbox"/>
18	WO0060490	WO		2000-10-12	WEISER	<input checked="" type="checkbox"/>
19	WO0075779	WO	A2	2000-12-14	LAMBERT et al.	<input checked="" type="checkbox"/>

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20	WO0122308		A2	2001-03-29	BROOK-LEVINSON et al.	<input checked="" type="checkbox"/>
21	WO0140899		A2	2001-06-07	MASTER et al.	<input checked="" type="checkbox"/>
22	WO0142873	WO	A2	2001-06-14	CHEN	<input checked="" type="checkbox"/>
23	WO0148660		A1	2001-07-05	PLANTEC et al.	<input checked="" type="checkbox"/>
24	WO0169436		A1	2001-09-20	HAMALAI-NEN et al.	<input checked="" type="checkbox"/>
25	WO0173628		A2	2001-10-04	NAKAZAWA et al.	<input checked="" type="checkbox"/>
26	WO9007830			1990-07-12	FISCHER	<input checked="" type="checkbox"/>
27	WO9014725			1990-11-29	DOUGLAS	<input checked="" type="checkbox"/>
28	WO9726612			1997-07-24	PECKOVER	<input checked="" type="checkbox"/>
29	10143491	JP	A	1998-05-29	YASUSHI et al.	<input checked="" type="checkbox"/>
30	WO9809451			1998-03-05	HEINONEN et al.	<input checked="" type="checkbox"/>

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NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	Thomas Jensen & Ewen Denney, Correctness of Java Card Method Lookup via Logical Relations, Project Lande, IRISA, Rennes Cedex (2000)	<input type="checkbox"/>
	2	Claire Grover et al., LT TTT – A Flexible Tokenisation Tool, Language Technology Group (2000)	<input type="checkbox"/>
	3	Ena Kaasinen et al., Two approaches to bringing Internet services to WAP devices, vol. 33 IJCSNS (2000)	<input type="checkbox"/>
	4	Armando Fox et al., Integrating Information Appliances into an Interactive Workspace, IEEE (2000)	<input type="checkbox"/>
	5	Sawako-Eeva Hayashi, Development of Mobile Tokens Handling Application: Applying the User-Centred Design Approach, University of Tampere Department of Computer and Information Sciences Master's thesis (2001)	<input type="checkbox"/>
	6	Jonathan E. Cook & Alexander L. Wolf, Balboa: A Framework for Event-Based Process Data Analysis, (1998)	<input type="checkbox"/>
	7	Vikram Ramamoorthy, Development of a decision support system for assessment of mobile bridges (1999)	<input type="checkbox"/>
	8	Kenneth Baclawsk et al., Knowledge Representation And Indexing Using The Unified Medical Language System (2000)	<input type="checkbox"/>
	9	Wireless Agenda Presentation (2000)	<input type="checkbox"/>

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10	Matti Hamalainen, Solutions for Interactive Content Creation & Delivery in the Wireless Environment" Interactive Entertainment in Your Pocket!" "Instant Q&A Anywhere" Presentation (2000)	<input type="checkbox"/>
11	Norman Cohen et al., iQueue: A Pervasive Data Composition Framework, pp. 146-153 IEEE (2002)	<input type="checkbox"/>
12	Matti Hamalainen & Joseph Sabach, Wireless Surveys: Responses in the Actual Context – Instantly (2000)	<input type="checkbox"/>
13	Jamie Cattell, The mobile internet revolution and its implications for research, Research International Japan, (2001)	<input type="checkbox"/>
14	Triple-S XML The Survey Interchange Standard – A standard for moving surveys between survey packages on various hardware and software platforms v. 1.1 (2001)	<input type="checkbox"/>
15	Gad Nathan, Methodologies for internet surveys and other telesurveys, Hebrew University (June 2001)	<input type="checkbox"/>
16	Rachel Bellamy et al., Designing an E-Grocery Application for a Palm Computer: Usability and Interface Issues, IEEE Personal Communication (2001)	<input type="checkbox"/>
17	Kari Mikkonen, Feedback System to Support Interactive Planning (2001)	<input type="checkbox"/>
18	Quizcode – CodeOnline Wireless Feedback Solutions Press Release, 06/06/2011	<input type="checkbox"/>
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	Art Unit		2451
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	Attorney Docket Number		71855/10-351

21	Tim Macar, A handy technology, Market Research Society (April 2001)	<input type="checkbox"/>
22	Stephen Jenkins & Tony Solomonides, Connecting Bits and Pieces : Context Tokens in Survey Design (2001)	<input type="checkbox"/>
23	Robert A. Dennis & Sanjiv S. Gambhir, Internet Question and Answer (iQ&A): A Web-Based Survey Technology, vol. 4 IEEE Transactions on Information Technology in Biomedicine, (2000)	<input type="checkbox"/>

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EXAMINER SIGNATURE

Examiner Signature	/Backhean Tiv/ (10/21/2015)	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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	Examiner Name	BACKHEAN TIV
	Attorney Docket Number	71855/10-351

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/scott r. zingerman/	Date (YYYY-MM-DD)	2013-02-11
Name/Print	Scott R. Zingerman	Registration Number	35422

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour 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.**

/Backhean Tiv/ (07/10/2014)

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
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Unified Patents

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	29912	(translat\$4 or convert\$4) near4 format near4 (data or information) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/04 07:54
L2	191	(translat\$4 or convert\$4) near3 response near4 format near4 (data or information) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/04 07:55
L3	3	(translat\$4 or convert\$4) near3 response near4 format near4 (data or information) with HTML and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/04 07:56
L4	4	("5704029" or "6163811" or "20020007303" or "6477373").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/11/04 08:26
L5	4	updat\$4 and l4	US-PGPUB; USPAT; USOCR; FPRS; EPO; DERWENT; IBM_TDB	OR	ON	2015/11/04 08:26
L6	383	(updat\$4) near4 (survey or questiona\$4) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/04 08:46
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			IBM_TDB			
S1	2	("20040210472").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/15 15:56
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S9	242	creat\$4 near4 (survey or questionnaire or form) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2012/09/15 16:31

			JPO; DERWENT; IBM_TDB			
S10	19	creat\$4 near4 (survey or questionnaire or form) same mobile and (download\$4 or upload\$4) near4 (survey or questionnaire or form) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:32
S11	2	("5555101").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/15 16:33
S12	4	((("6826726") or ("7739658")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/15 16:37
S13	367	tokenizer and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:17
S14	1	tokenizer near4 question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:18
S15	2	tokenizer with question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:18
S16	2	tokenizer with (question or survey) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:19
S17	68	tokenizer same (question or survey) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:19
S18	0	tokenizer same (question or survey) same feedback and	US-PGPUB; USPAT;	OR	ON	2012/09/16 09:20

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		(@ad<="20010831" or @rlad<="20010831")	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S19	56	tokenizer same (question or survey) and feedback and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:20
S20	6	(("5704029") or ("6584464") or ("20020007303")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 09:45
S21	2	S20 and updat\$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:46
S22	0	("20010056837").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 10:06
S23	0	("200100568374").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 10:07
S24	2	("20010056374").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 10:07
S25	1	charg\$4 near4 response with survey and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:09
S26	5	(charg\$4 or fee) near4 response with survey and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:09

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S27	14	(charg\$4 or fee) with response with survey and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:11
S28	0	mobile near3 re\$connect near4 server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S29	1	mobile with re\$connect near4 server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S30	18	mobile with re\$connect\$4 near4 server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S31	0	mobile with re\$connect\$4 near4 server same GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S32	1	mobile with re\$connect\$4 near4 server and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:51
S33	1	mobile with re\$connect\$4 with server and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:51
S34	44	mobile with re\$connect\$4 and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:52
S35	10	mobile with re\$connect\$4 and connection with (fail\$4 or un\$available) and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2012/09/16 10:53

			DERWENT; IBM_TDB			
S36	53	mobile with re\$connect\$4 and connection with (fail\$4 or un\$available) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:55
S37	24237412	authenticate near3 mobile (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:07
S38	663	authenticate near3 mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:08
S39	2	authenticate near3 mobile same GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:09
S40	33	send\$4 near4 GPS near4 location with server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:18
S41	2	("5842195").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 13:06
S42	4	((("6477373") or ("20010056374") or ("20020137524") or ("6462708")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/03/27 09:24
S43	1	("7822816").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/10 11:08
S44	1	(12/910706).APP.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/10 12:17
S45	4	((("6453329") or ("20020147850") or ("6163811") or ("6618746")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/14 09:56
S46	2	((("5991771") or ("5442786")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/14 10:50
S47	3	("20110040831").PN.	US-PGPUB;	OR	OFF	2015/10/07

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			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			07:35
S48	4	("7822816").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/10/07 07:37
S49	264	(survey or questionnaire) same (location or proximat\$4) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S50	0	(survey or questionnaire) with (location or proximat\$4) near4 (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S51	0	(survey or questionnaire) with (location or proximat\$4) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S52	0	(survey or questionnaire) with (location or proximat\$4 or GPS) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S53	1	(survey or questionnaire) same (location or proximat\$4 or GPS) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:24
S54	2	(survey or questionnaire) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:25
S55	1048	(survey or questionnaire) with (restaurant or business or venue) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2015/10/21 08:25

			IBM_TDB			
S56	1	creating near4 (survey or questionnaire) with (restaurant or business or venue) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:25
S57	1	("7822816").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/10/21 08:58
S58	17	device near3 independent near3 token and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 10:56
S59	1	device adj3 independent near3 question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 11:01
S60	3	device near2 independent near3 question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 11:02
S61	0	tokenizer with security and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/22 07:13
S62	1641	(tokenizer or token) near4 security and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/22 07:13
S63	285	(tokenizer or token) near4 (data or information) near4 security and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/22 07:14

EAST Search History (Interference)

< This search history is empty >

11/ 4/ 2015 9:19:34 AM**C:\Users\btiv\Documents\EAST\Workspaces\12910706_creating_survey_feedback_mobile.wsp**

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JAN 21 2016

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Payne	Confirmation No.: 8703
Application No.: 12/910,706	Art Unit: 2451
Filed: 10/22/2010	Examiner: Backhean Tiv
Title: SYSTEM AND METHOD FOR DATA MANAGEMENT	
Attorney Docket No.: 47267/10-351	

Proposed Claim Amendments Discussed**During the Teleconference with the Examiner on Jan. 20, 2016**

The instant document is being provided to the Examiner for discussion purposes only via fax number (571) 273-8300. Pursuant to that conversation, attorneys for applicant have provided some suggested alternative claim language that it is hoped would put the case into condition for allowance.

More particularly and pursuant to the above-identified conversation, attorneys for applicant understood the examiner to say that if a limitation such as "automatic" entry of location information were added to a claim, such would avoid the currently-known prior art.

In that regard, the currently pending version of Claim 1, together three proposed amendments to same, are presented below. It was felt that focusing only on amendments to Claim 1 would simplify the discussion.

Currently Pending Version of Claim 1:

1. *(Previously Presented)* A method for managing data including the steps of:
 - (a) creating a questionnaire comprising a series of questions customized for a location;
 - (b) tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire;

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 Attorney Docket No.: 47267/10-351
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- (c) transmitting said plurality of tokens to a remote computing device;
- (d) when said remote computing device is proximate to said location, executing at least a portion of said plurality of tokens representing said questionnaire at within said remote computing device to collect a response from a user;
- (e) transmitting at least a portion of said response from the user to a server in real time via a network; and
- (f) storing said response at said server.

The alternative amendments that follow are offered for purposes of discussion only.

Claim 1: Alternative #1:

1. *(Currently Amended)* A method for managing data including the steps of:
 - (a) creating a questionnaire comprising a series of questions customized for a location;
 - (b) said questionnaire including at least one question requesting location identifying information;
 - ~~(((b))c)~~tokenizing said questionnaire, thereby producing a plurality of device independent indifferent tokens representing said questionnaire;
 - ~~(((c))d)~~transmitting said plurality of tokens to a remote computing device;
 - ~~(((d))e)~~when said remote computing device is proximate to said location, executing at least a portion of said plurality of tokens representing said questionnaire at within said remote computing device to collect a response from a user;
 - (f) automatically entering the location identifying information into said questionnaire;

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(((e))g) transmitting at least a portion of said response from the user to a server in real time via a network; and
 (((f))h) storing said response at said server.

Claim 1: Alternative #2:

1. *(Currently Amended)* A method for managing data including the steps of:
 - (a) creating a questionnaire comprising a series plurality of questions customized for a location, said questionnaire including at least one question that requests location identifying information;
 - (b) tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire;
 - (c) transmitting said plurality of tokens to a remote computing device, wherein said remote computing device has a GPS integral thereto;
 - (d) when said remote computing device is ~~proximate to~~ at said location, executing at least a portion of said plurality of tokens representing said questionnaire at within said remote computing device to collect a response from a user;
 - (e) using said GPS to automatically obtain said location identifying information in response to said at least one question that requests location identifying information
 - (f)(e) transmitting at least a portion of said response from the user to a server in real time via a network; and
 - (g)(f) storing said response at said server.

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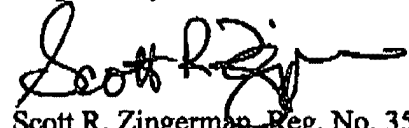
Claim 1: Alternative #3:

1. *(Previously Presented)* A method for managing data ~~including~~ comprising the steps of:
 - (a) creating a questionnaire comprising a series of questions customized for a location, wherein at least one of said questions requests location identifying information;
 - (b) tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire;
 - (c) transmitting said plurality of tokens to a remote computing device, said remote computing device having a GPS integral thereto;
 - (d) when said remote computing device is at proximate to said location, executing at least a portion of said plurality of tokens representing said questionnaire ~~at~~ within said remote computing device to collect a response from a user;
 - (e) while said at least a portion of said plurality of tokens is executing, using said GPS to automatically provide said location identifying information as a response to said executing questionnaire;
 - (f)(e) transmitting at least a portion of said response from the user to a server in real time via a network; and
 - (g)(f) storing said response at said server.

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Attorney Docket No.: 47267/10-351
Page 5 of 5

Respectfully submitted,

Date: January 21, 2016



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JAN 21 2016

FACSIMILE COVER SHEET

Date: January 21, 2016

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

TO	COMPANY NAME	FAX NUMBER
Examiner Backhean Tiv	USPTO; Art Unit 2451	571-273-8300

FROM: Scott R. Zingerman, Esq.

**FELLERS, SNIDER, BLANKENSHIP,
BAILEY & TIPPENS, P.C.**
 The Kennedy Building
 321 South Boston Ave., Suite 800
 Tulsa, Oklahoma 74103-3318
 TELEPHONE: (918) 599-0621
 TELECOPIER: (918) 583-9659

AUTO QUOTE:

IF YOU DO NOT RECEIVE ALL OF THE PAGES OR IF ANY ARE ILLEGIBLE, PLEASE CONTACT US AT (918) 599-0621 AS SOON AS POSSIBLE.

MESSAGE: Attached, please find information regarding USSN 12/910,706.
Thank you.

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/9/10,706 10/22/2010 J. David Payne 71855/10-351 8703

22206 7590 01/22/2016
FELLERS SNIDER BLANKENSHIP
BAILEY & TIPPENS
THE KENNEDY BUILDING
321 SOUTH BOSTON SUITE 800
TULSA, OK 74103-3318

EXAMINER

TIV, BACKHEAN

ART UNIT PAPER NUMBER

2451

MAIL DATE DELIVERY MODE

01/22/2016

PAPER

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

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

Applicant-Initiated Interview Summary	Application No. 12/910,706	Applicant(s) PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	

All participants (applicant, applicant's representative, PTO personnel):

- (1) BACKHEAN TIV. (3) TERRY L. WATT(42214).
(2) SCOTT ZINGERMAN(35422). (4) J. DAVID PAYNE(INVENTOR).

Date of Interview: 20 January 2016.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: ART OF RECORD.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

DISCUSSED THE 112 1ST AND 2ND REJECTION. APPLICANT INTENDED TO POINT TO SPECIFIC LOCATIONS FROM THE SPECIFICATION TO SUPPORT THE CLAIM TERM "DEVICE INDEPENDENT" AND AMEND THE CLAIM TO "AT" INSTEAD OF "PROXIMATE". ALSO DISCUSSED AMENDMENT SUCH AS THE QUESTIONNAIRE HAVING A QUESTION CONCERNING THE LOCATION OF THE DEVICE, AND AUTOMATICALLY ENTERING THE GPS LOCATION FOR THAT QUESTION. SUPPORT FOUND IN US PATENT 7,822,816, COL.5, LINES 35-40. FURTHER SEARCH AND CONSIDERATION IS NECESSARY, ONCE AN UPDATED SEARCH/CONSIDERATION IS PERFORMED THEN IF THERE ARE ANY SUGGESTIONS TO ADVANCE THE PROSECUTION OF THE APPLICATION, THE EXAMINER WILL CONTACT THE APPLICANT..

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/BACKHEAN TIV/
Primary Examiner, Art Unit 2451

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>Applicant(s): Payne</p> <p>Application No.: 12/910,706</p> <p>Filed: 10/22/2010</p> <p>Title: SYSTEM AND METHOD FOR DATA MANAGEMENT</p> <p>Attorney Docket No.: 47267/10-351</p>	<p>Confirmation No.: 8703</p> <p>Art Unit: 2451</p> <p>Examiner: Backhean Tiv</p>
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MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

This paper is filed in response to the Office Action mailed November 6, 2015. Please consider the instant filing to be a Petition for a Three Month Extension of Time to Respond. A USPTO credit card payment form PTO 2038 is attached to this filing or charge to a credit card will be authorized through EFS Web filing. If any additional fee is required by virtue of the filing of this paper, please also consider this a general authorization to charge Deposit Account No. 06-0540 for the same. Please amend the application as follows:

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In the Specification:

Not applicable.

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In the claims:

This listing of claims will replace all prior versions and listings of the claims in this application.

1. (*Currently Amended*) A method for managing data including the steps of:
 - (a) creating a questionnaire comprising a series of questions customized for a location;
 - (b) said questionnaire including at least one question requesting location identifying information;
 - (~~[[b]]~~c) tokenizing said questionnaire, thereby producing a plurality of device ~~independent~~ indifferent tokens representing said questionnaire;
 - (~~[[c]]~~d) transmitting said plurality of tokens to a remote computing device;
 - (~~[[d]]~~e) when said remote computing device is proximate to said location, executing at least a portion of said plurality of tokens representing said questionnaire ~~at~~ within said remote computing device to collect a response from a user;
 - (f) automatically entering the location identifying information into said questionnaire;
 - (~~[[e]]~~g) transmitting at least a portion of said response from the user to a server in real time via a network; and
 - (~~[[f]]~~h) storing said response at said server.

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2. (Currently Amended) The method for managing data of claim 1 further comprising the step of:

(((g))) translating said response to a format recognizable by a particular computer program; and

(((h))) accessing the translated response from a computer executing said particular computer program.

3. (Previously Presented) The method for managing data of claim 1 wherein step (a) includes the substeps of:

(a) creating a questionnaire by:

(i) entering a series of questions into a questionnaire design computer program;

(ii) identifying within said questionnaire design computer program the type of response allowed for each question of said series of questions; and

(iii) identifying within said questionnaire design computer program a branching path in said questionnaire for each possible response to each question of said series of questions.

4. (Previously Presented) The method for managing data of claim 1 wherein step (b) includes the substeps of:

(b) tokenizing said questionnaire thereby producing a plurality of tokens representing said questionnaire by:

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- (i) assigning at least one token to each question of said series of questions;
 - (ii) assigning at least one token to each response called for in said series of questions to identify the type of response required; and
 - (iii) assigning at least one token to each branch in said questionnaire to identify the required program control associated with said branch.
5. *(Currently Amended)* The method of data management of claim 1 wherein the transmission of said tokens in step ([[c]]d) occurs via the network of step ([[e]]g).
6. *(Currently Amended)* A method for modifying a questionnaire used in data management according to the method of claim 1 including the steps of:
- [[a]] making at least one incremental change to a portion of the questionnaire;
 - [[b]] tokenizing said at least one incremental change to said questionnaire to obtain change tokens;
 - [[c]] transmitting at least a portion of said change tokens ~~resulting from step (b)~~ to [[a]] said remote computing device in real time, said transmitted change tokens comprising less than the entire tokenized questionnaire;
 - (d) incorporating said transmitted change tokens into said questionnaire at said remote computing device.
7. *(Currently Amended)* A method for collecting survey data from a user and making responses available via the Internet, comprising:

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- (a) designing a questionnaire including at least one question, said questionnaire customized for a particular location having branching logic on a first computer platform wherein at least one of said at least one questions requests location identifying information;
- (b) automatically transferring said designed questionnaire to at least one loosely networked computer having a GPS integral thereto;
- (c) when said loosely networked computer is proximate to said particular location, executing said transferred questionnaire on said loosely networked computer, thereby collecting responses from the user;
- (d) while said transferred questionnaire is executing, using said GPS to automatically provide said location identifying information as a response to said executing questionnaire;
- (((d))e) automatically transferring via the loose network any responses so collected in real time to a central computer; and,
- (((e))f) making available via the Internet any responses transferred to said central computer in step (((d))e).

- 8. (Previously Presented) The method for collecting survey data according to claim 7 further comprising:
 - (f) assessing a charge for each transferred response received by said central computer.

9. (Cancelled)

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10. *(Previously presented)* The method for managing data transfers between computers according to claim 9 wherein said first location and said third location are the same.
11. *(Previously presented)* The method for managing data transfers between computers according to claim 9 wherein said third location is at said remote computer.
12. *(Currently Amended)* A method for managing data comprising the steps of:
- (a) establishing communications between a handheld computing device and an originating computer wherein said handheld computing device has a GPS integral thereto;
 - (b) using said GPS to automatically obtain location identifying information for said handheld computing device;
 - (c) transmitting said location identifying information from said handheld computing device to said originating computer;
 - (((b)))d) receiving within said handheld computing device a transmission of a tokenized questionnaire customized for a particular location from said originating computer, said tokenized questionnaire comprising a plurality of device ~~independent~~ indifferent tokens;
 - (((c)))e) ending said communications between said handheld computing device and said originating computer;

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([[d]]f) after said communications has been ended, when said handheld computing device is ~~proximate to~~ said particular location;

([[d1]]f1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user, and,

([[d2]]f2) storing within said computing device said at least one response from the user;

([[e]]g) establishing communications between said handheld computing device and a recipient computer; and,

([[f]]h) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer.

13. (Currently Amended) The method for managing data according to Claim 12, wherein step ([[b]]d) comprises the steps of:

([[b1]]d1) creating a questionnaire,

([[b2]]d2) tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire,

([[b3]]d3) storing said plurality of tokens on a computer readable medium accessible by said originating computer,

([[b4]]d4) accessing said stored plurality of tokens from said originating computer,

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- (((b5))d5) transmitting said stored plurality of tokens from said originating computer to said handheld computing device, and,
- (((b6))d6). receiving within said handheld computing device said transmission of said tokenized questionnaire from said originating computer.

14. *(Previously Presented)* The method for managing data according to Claim 12, wherein said originating computer and said recipient computer are a same computer.

15. *(Currently Amended)* The method for managing data according to Claim 12, wherein said step (((d1))f1) comprises the steps of:

- (i) requiring a user to authenticate with said handheld computing device,
- (ii) only if the user is able to authenticate with said handheld computing device, executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user, and,
- (iii) if the user is unable to authenticate with said handheld computing device, taking no further action.

16. *(Currently Amended)* The method for managing data according to Claim 12, wherein said questionnaire comprises at least one question that requests location identifying information and at least one other question.

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17. *(Currently Amended)* The method for managing data according to Claim 16, wherein at least one of said at least one other question is selected from a group consisting of a food quality question, a service quality question, a waiting time question, a store number question, a location question, a time question, a date question, a temperature question, and a time of day question.
18. *(Previously presented)* The method for managing data according to Claim 12, wherein step (a) comprises the step of establishing communications via a global computer network between said handheld computing device and said originating computer.
19. *(Currently Amended)* A method for managing data comprising the steps of:
- (a) establishing communications between a handheld computing device and an originating computer, said handheld device having at least a capability to determine a current location thereof;
 - (b) receiving within said handheld computing device a transmission of a tokenized questionnaire ~~customized for a particular location~~ including at least one question requesting location identifying information, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (c) ending said communications between said handheld computing device and said originating computer;

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- (d) after said communications has been terminated, when said handheld computing device is proximate to said particular location
 - (d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least said current location of said handheld computing device, and,
 - (d2) storing within said handheld computing device said current location;
 - (d3) automatically entering the location identifying information into said questionnaire;
- (e) establishing communications between said handheld computing device and a recipient computer; and,
- (f) transmitting at least one value representative of said stored current location to said recipient computer.

20. *(Previously Presented)* The method for managing data according to Claim 19 wherein said current location of said handheld computing device is determined using GPS.

21. *(Previously Presented)* The method for managing data according to Claim 19, wherein said originating computer and said recipient computer are a same computer.

22. *(Canceled)*

23. *(Canceled)*

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24. (Currently Amended) A method for managing data comprising the steps of:
- (a) establishing communications between a handheld computing device and an originating computer wherein said handheld computing device has a GPS integral thereto;
 - (b) receiving within said handheld computing device a transmission of a tokenized questionnaire from said originating computer, said tokenized questionnaire including at least one question requesting location identifying information, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (c) ending said communications between said handheld computing device and said originating computer;
 - (d) after said communications has been ended,
 - (d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a first user, and,
 - (d2) storing within said computing device said at least one response from the first user;
 - (d3) using said GPS to automatically obtain said location identifying information in response to said at least one question that requests location identifying information;
 - (e) establishing communications between said handheld computing device and a recipient computer;

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- (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer; and,
- (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user.

25. *(Previously Presented)* The method for managing data according to Claim 24, wherein the first user and the second user are a same user.

26. *(Currently Amended)* A method for managing data comprising the steps of:

- (a) within a central computer, accessing at least one user data item stored in a recipient computer, wherein said at least one data item is obtained via the steps of:
 - (1) establishing communications between a handheld computing device and an originating computer wherein said handheld computing device has a GPS integral thereto;
 - (2) receiving within said handheld computing device a transmission of a tokenized questionnaire, including at least one question requesting location identifying information and at least one additional question, said tokenized questionnaire comprising a plurality of device independent tokens;
 - (3) ending said communications between said handheld computing device and said originating computer;
 - (4) after said communications has been ended,

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- (i) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device,
- (ii) automatically entering the location identifying information into said questionnaire;
 - (iii) presenting said at least one additional question to a user;
 - (iv) receiving at least one response from the user to each of said presented at least one additional question,
 - (v) storing at least one value representative of said location identifying information and said at least one response within said handheld computing device;
- (5) establishing a communications link between said handheld computing device and a recipient computer;
- (6) transmitting said stored at least one value representative of said location identifying information and said at least one response stored within said handheld computing device to said recipient computer; and,
- (7) storing within said recipient computer any of said transmitted location identifying information and said at least one value representative of said at least one response, thereby creating said at least one user data item stored in said recipient computer; and,
- (b) forming a visually perceptible report from any of said at least one stored user data item.

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27. *(Previously Presented)* The method according to Claim 26, wherein said central computer and said recipient computer are a same computer.

28. *(Cancelled)*

29. *(Cancelled)*

30. *(Cancelled)*

31. *(Cancelled)*

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Claims 1-21 and 24-31 are pending in the application. Claims 1-21 and 24-31 stand as rejected in the Office Action. Claims 22 and 23 were previously cancelled. By way of this Amendment and Response, claims 1, 2, 5, 6, 7, 12, 16, 19, 24, and 26 have been amended. Claims 9-11, and 28-31 have been cancelled. Reconsideration and allowance of claims 1-8, 12-21 and 24-27 is respectfully requested.

Interview Summary

A telephonic Interview was conducted with Examiner Tiv on January, 20, 2016 during which the subject matter of and proposed amendments to claim 1 were discussed. On or about January 21, 2016, Applicant submitted, via facsimile, proposed amendments to claim 1, including three different alternatives.

Claim Rejections – 35 U.S.C. §112

Claims 1-6, 9-31 rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Claims 1-6, 12-21 are rejected in the Office Action under 35 U.S.C. §112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention. The Office Action reads at page 4:

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As per claims 1-6, 12-21, the term "proximate" is a relative term which renders the claim indefinite. The term "proximate" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. As per claim 6, recites (c) transmitting at least a portion of said tokens resulting from step (b) to a remote computing device, is unclear to which step (b) it refers to, since claim 6 has a step (b) and claim 1 has a step (b).

Applicant has amended to claims 1-6, 12-21 so as to replace the term "proximate" with "at." Applicant submits that the term "at" is not a relative term.

Claim 6 has been amended herein for the purpose of clarity to delete the letters representing steps of the method of claim 6. Claim 6 has also been amended to recite "tokenizing said at least one incremental change to said questionnaire to obtain change tokens" and that the "change tokens" are transmitted to the remote computing device. As a result, Applicant submits that claim 6, as amended, is clear.

In light of the above amendments, reconsideration and allowance of claims 1-6 and 12-21 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

In the Office Action, claims 1-7, 12-14, 16-18, 24, 25, 28-31 are rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent 5,704,029 (hereinafter "Wright") in view of US Patent US Patent 6,163,811 (hereinafter "Porter") in view of US Publication 2002/0007303 (hereinafter the "Brookler") in view of US Patent 6,477,373 (hereinafter "Rappaport"). The Office Action reads at Pages 5-15:

As per claim 1, 7, Wright teaches a method for managing data including the steps of: (a) creating a questionnaire comprising a series of questions

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customized for a location (Figs.1-11, Abstract); (c) transmitting said plurality of tokens to a remote computing device (col.13, lines 38-65); (d) executing at least a portion of said plurality of tokens representing said questionnaire within said remote computing device to collect a response from a user (col. 13, lines 38-65; teaches executing script).

Wright however does not explicitly teach

(b) tokenizing said questionnaire, thereby producing a plurality of device independent tokens representing said questionnaire;

(e) transmitting at least a portion of said response from the user to a server in real time via a network; and

(f) storing said response at said server;

(d) when said remote computing device is proximate to said location;

Claim 7, (e) making available via the Internet any responses transferred to said central computer.

Porter explicitly (b) tokenizing thereby producing a plurality of device independent tokens (col.3, lines 38-65; col.4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Porter in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth (Wright, Abstract, Porter, col. 4, lines 50-65).

Wright in view of Porter does not explicitly teach (e) transmitting at least a portion of said response from the user to a server in real time via a network; and (f) storing said response at said server Claim 7, (e) making available via the Internet any responses transferred to said central computer.

Brookler explicitly teaches (e) transmitting at least a portion of said response from the user to a server in real time via a network; and (f) storing said response at said server (Fig.1,5 para. 0029, 0033, 0065; teaches providing real time results); (e) making available via the Internet any responses transferred to said central computer (para.0055-0056; teaches use of HTML and Microsoft IE and Netscape Navigator which used for the Internet).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Warthen to include storing user's responses at the server as taught by Brookler in order to

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provide the predictable result of having all answered survey questions stored on the server.

One ordinary skill in the art would have been motivated to combine the teachings in order to have a central location, e.g. server, for all results of a survey which provides ease of access for the surveyors (Brookler, para.0002).

Wright in view of Porter in view of Brookler does not explicitly teach when said remote computing device is proximate to said location and a "network" as defined by the applicant as a "loosely networked".

Rappaport teaches "loosely networked"(Abstract, col. 2, lines 44-59).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler to include the known art of connection failure and reconnecting of mobile devices and also processing of data while the data connection is not in use as taught by Rappaport in order to provide the predictable result of a user can take the survey even when there isn't a connection and when the the mobile device reconnects and information is sent. One ordinary skill in the art would have been motivated to combine the teachings in order to provide reliable connectivity and automatically and transparently attempt to reconnect disrupted links (Rappaport, col. 1, lines 25-28).

Wright in view of Porter in view of Brookler in view of Rappaport does not explicitly teach when said remote computing device is proximate to said location.

Wright however, does teach a Joe's Diner's "customer comment card", Fig.2a. The use of "customer comment card" is well known in the art as a form of feedback for services and/or products and is given at the location to be filled out. Wright further teaches taking an electronic survey of Joe's Diner, Fig.2b,c.

Therefore it would have been obvious to one ordinary skill in the art to modify the teaching of Wright in view of Porter in view of Brookler in view of Rappaport to fill out a survey at the location of business, such as Joe's Diner in order to provide the predictable result of providing feedback to the vendor about products or services.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide a system to improve services/products through customer feedback.

As per claim 2, the method for managing data of claim 1 further comprising the step of: (g) translating said response to a format recognizable by a particular computer program; and (h) accessing the translated response from a computer executing said particular computer program (Wright, Figs. 1-11, Abstract, Porter, col.3, lines 38-65; col. 4, lines 50-65; teaches sending response and also teaching HTML). Official Notice is taken; the art of translating to a

particular format is well known in the art at the time of the invention. (see US Publication 2003/0041031 issued to Hedy, claim 1 and US Patent 6,615,212 Fig. 7; teaches the art of conversion of data). Therefore it would have been obvious to one ordinary skill in the art to modify the teaching to include translating a response to a format that is recognized by a computer program in order to provide the predictable result of having the response of a survey be translated/converted to a particular format for a browser such as IE to recognize the response. One ordinary skill in the art would have been motivated to combine the teaching in order to interpret responses of a survey to improve a restaurant or store's product.

As per claim 3, the method for managing data of claim 1 wherein step (a) includes the substeps of: (a) creating a questionnaire by: (i) entering a series of questions into a questionnaire design computer program (Wright, col. 9, lines 10-25); (ii) identifying within said questionnaire design computer program the type of response allowed for each question of said series of questions (Wright, col. 11, lines 50-65, Brookler, para. 0044-0046); and (iii) identifying within said questionnaire design computer program a branching path in said questionnaire for each possible response to each question of said series of questions (Wright, Figs. 1-11, Abstract).

As per claim 4, the method for managing data of claim 1 wherein step (b) includes the substeps of: (b) tokenizing said questionnaire thereby producing a plurality of tokens representing said questionnaire (Porter, col. 3, lines 38-65; col. 4, lines 50-65) by: (i) assigning at least one token to each question of said series of questions; (ii) assigning at least one token to each response called for in said series of questions to identify the type of response required (Porter, col. 3, lines 38-65; col. 4, lines 50-65); and (iii) assigning at least one token to each branch in said questionnaire to identify the required program control associated with said branch (Wright, Figs. 1-11, Abstract).

Therefore it would have been obvious to one ordinary skill in the art to apply tokenization of Porter to Wright's teachings of creating a survey in order to provide the predictable result of tokenization a survey and responses of a user. One ordinary skill in the art would have been motivated to combine the teaching in order to save bandwidth.

As per claim 5, the method of data management of claim 1 wherein the transmission of said tokens in step (c) occurs via the network of step (e) (Brookler, Fig. 1, Rappaport, Abstract).

As per claim 6, a method for modifying a questionnaire used in data management according to the method of claim 1 including the steps of:

(a) making at least one incremental change to a portion of the questionnaire;

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(b) tokenizing said at least one incremental change to said questionnaire (Porter, col. 5, lines 20-30); (c) transmitting at least a portion of said tokens resulting from step (b) to a remote computing device, said transmitted tokens comprising less than the entire tokenized questionnaire (Porter, col. 5, lines 20-30); (d) incorporating said transmitted tokens into said questionnaire at said remote computing device (Wright, Figs. 1-11, col. 16, lines 50-55, Abstract).

In reply, Applicant would note that Claim 1 has been amended to require device indifferent tokens. Support for this amendment can be found in Applicant's specification and particularly paragraphs [0033] and [0052]. Claim 1 has been further amended to recite a questionnaire that includes at least one question requesting location identifying information, and automatically entering the location identifying information into the questionnaire. Support for these amendments can be found in Applicant's specification, and particularly paragraphs [0035], and [0065]-[0070].

Initially, Applicant maintains that nothing in Wright, Porter, Brookler, or Rappaport, alone or in combination, teaches or suggests "loosly networked" as recited in Applicant's Claim 1. As such, it is believed that Claim 1 is allowable over the art of record.

The term "network" is expressly defined in the specification of the present application at [0027] where it is stated:

With regard to the present invention, the term "loosely networked" is used to describe a networked computer system wherein the devices on the network are tolerant of intermittent network connections and, in fact, tolerant of the type of network connection available. In particular, if any communication connection is available between devices wishing to communicate, network transmissions occur normally, in real time. If a network connection is unavailable at that moment, the information is temporarily stored in the device and later transmitted when the network connection is restored. Unless otherwise specified, hereinafter the terms "network" or "networked" refer to loosely networked devices (emphasis added).

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Thus, Claim 1 step (g) of the instant application requires the transmission to occur in a loosely networked fashion. Neither Wright, Porter, Brookler, nor Rappaport discuss special handling of intermittent connections, and therefore none of these references suggest a loosely networked connection.

Applicant additionally maintains the limitations of amended Claim 1 are not present in the Wright, Porter, Brookler, Rappaport combination asserted in the Office Action, such as: step (c) which recites tokenizing the questionnaire, thereby producing a plurality of device indifferent tokens representing the questionnaire. Claim 1 has been amended to replace the term "independent" with the term "indifferent" as set forth above. Further, Claim 1 has been amended to recite the questionnaire to include at least one question requesting location identifying information in step (b) and, in step (f) automatically entering the location identifying information into the questionnaire. These limitations are not found in any of the cited references.

Additionally, Applicant would note that with regard to Claim 5, step (d) would likewise require the network to behave in a loosely networked fashion.

Applicant submits that, in view of the foregoing, Claim 1, as amended, is thus in condition for allowance. Claims 2-6 depend from Claim 1 and inherit its limitation and, as such, are allowable at least for the reasons stated with regard to Claim 1. Reconsideration and allowance of Claims 1 and 2-6 is respectfully requested.

Claim 7 recites a questionnaire that has been customized for a location and is executed when the loosely networked computer at the location. Nothing in any of the foregoing references teaches or even suggests such a possibility. Applicant would further point out that Claim 7, step (b) requires a loosely networked computer and, as discussed above with regard to Claim 1, none

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of the cited references disclose a network tolerant of intermittent connections. Likewise, step (e), as amended, requires a loosely networked connection. As such, and for at least this reason, Claim 7 is believed to be allowable.

Claim 7 has been amended to recite a loosely networked computer having a GPS integral thereto. Support for this amendment can be found in Applicant's specification, and particularly paragraph [0035]. Claim 7 has been further amended to recite a questionnaire that includes at least one question requesting location identifying information, and automatically entering the location identifying information into the questionnaire. Support for these amendments can be found in Applicant's specification, and particularly paragraphs [0035], and [0065]-[0070]. As set forth above with regard to claim 1, incorporated fully herein, Applicant submits that the combination of references cited in the Office Action do not disclose, teach or suggest a GPS integral to the loosely networked computer, a questionnaire that includes at least one question requesting location identifying information, and automatically entering the location identifying information into the questionnaire.

For at least the reasons set out above, Applicant submits that Claim 7 is thus in condition for allowance. Claim 8 depends from Claim 7 and is believed to be allowable at least for the reasons discussed with regard to Claim 7.

Reconsideration and allowance of Claims 7 and 8 is respectfully requested.

With regard to claims 12-14, 16-18 and 24-28, the Office Action reads on pages 10-15 as follows:

As per claim 12, 24,28 Wright teaches a method for managing data comprising the steps of: (a) establishing communications between a handheld computing device and an originating computer; (b) receiving within said hand

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held computing device a transmission of a questionnaire from said originating computer, said questionnaire customized for a particular location comprising a plurality of tokens; (d 1) executing at least a portion of said plurality of tokens comprising said questionnaire on said hand held computing device to collect at least one response from a user, and, (d2) storing within said computing device said at least one response from the user (Fig. 1-11, Abstract, col. 13, lines 38-65).

Wright however does not explicitly teach tokenizing said questionnaire and device independent tokens; (c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, when said handheld computing device is proximate to said particular location (e) establishing communications between said handheld computing device and a recipient computer; (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer; (g) after receipt of said transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user.

Porter explicitly tokenizing thereby producing a plurality of device independent tokens (col.3, lines 38-65; col.4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Porter in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth (Wright, Abstract, Porter, col. 4, lines 50-65).

Wright in view of Warthen does not explicitly teach ;(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, when said handheld computing device is proximate to said particular location; (e) establishing communications between said handheld computing device and a recipient computer; (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer; (g) after receipt of said

transmission of step (f), transmitting a notice of said received value representative of each of said at least one response to a second user Brookler explicitly teaches (f) transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer (Fig.1, para. 0033); (g) after receipt of said transmission of step (f),

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transmitting a notice of said received value representative of each of said at least one response to a second user (Brookler, para. 0033).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter to include transmitting a value representative of each of said at least one response stored within said handheld computing device to said recipient computer as taught by Brookler in order to provide the predictable result of having all answered survey questions stored on the server.

One ordinary skill in the art would have been motivated to combine the teachings in order to have a central location, e.g. server, for all results of a survey which provides ease of access for the surveyors (Brookler, para. 0002).

Wright in view of Porter in view of Brookler does not explicitly teach; (c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been ended, (e) establishing communications between said handheld computing device and a recipient computer.

Rappaport explicitly teaches the known art of connection failure and reconnecting of mobile devices (Abstract, col. 2, lines 44-59).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reconnection to transfer information to a server.

Wright in view of Porter in view of Brookler in view of Rappaport does not explicitly teach when said remote computing device is proximate to said location.

Wright however, does teach a Joe's Diner's "customer comment card", Fig. 2a. The use of "customer comment card" is well known in the art as a form of feedback for services and/or products and is given at the location to be filled out and return to the vendor. Wright further teaches the art of sending electronic form for information gathering, col. 3, lines 5-67, col. 6, lines 1-30.

Therefore it would have been obvious to one ordinary skill in the art to combine the teachings of the prior art to have a customer comment card be sent to and filled out by a mobile user at the location of a restaurant in order to provide feedback to the vendor about products or services.

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One ordinary skill in the art would have been motivated to combine the teachings in order to provide a system to improve services/products through customer feedback.

As discussed with regard to Claim 1, as amended, the tokens of the combination of Wright and Porter are not the device indifferent tokens of the present invention.

With respect to Claim 12, this claim, as amended, requires a hand held computing device which has an integral GPS, using the GPS to obtain location identifying information, transmitting the location identifying information from the GPS to and originating computer, a questionnaire customized for a particular location associated with the location, tokenizing of the questionnaire to produce a plurality of device indifferent tokens, and when the device on which the tokenized questionnaire is resident is brought to the location for which the questionnaire was designed, execution of at least a portion of the tokens. Nothing in the references of record teaches an approach such as that set out in Claim 12.

In addition, Rappaport teaches a system and method for *maintaining connectivity* in a voice / data environment. (Abstract). A central idea in this patent is that voice is given priority over “time-insensitive” data streams (col. 2, lines 44-48). Low priority streams are put on “hold” if resources are not available *or* terminated without warning if resources are not available.

Of course, the term “server” cannot be found in Rappaport and that is for a reason. Rappaport’s invention sits *between* the handheld and the server and is only designed to maintain connectivity between two devices that communicate over a network that is monitored by this invention – to the extent that is possible. If there are insufficient resources, the data or voice connection is unceremoniously dropped, apparently without warning. *See, e.g.,* 17 in Fig. 1, 28

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and 31 in Fig. 2, and associated text). Consider the following (col. 5, lines 2-16) from Rappaport:

In contrast, mobile users that are engaged in mobile computing (or other forms of data transmission) may have the capability to operate semi-autonomously since data communications with the network are packetized and not necessarily streamed. So with appropriate network design, a temporary disconnection from the network may be transparent to the user. Thus, implementing the techniques described herein, short term radio link disconnections, which are frequent in mobile communications, need not result in failed sessions, discarded information and wasted use of resources. The current invention concerns maintaining connectivity for sessions that have gained admission to network resources. It is applicable to both circuit switched and packet switched systems.

Rappaport's goal is maintaining continuously end-to-end network connectivity where possible so that the remote device is oblivious to being temporarily disconnected from the recipient of the communication.

Obviously, in the world of Wright/Porter/Brookler, receipt of a questionnaire does not signal disconnection from the remote server. The word "disconnect" does not appear in any one of Wright, Porter, Brookler. All three references have flow charts depicting operation of their respective data handling, yet there is no provision in any flow chart for handling the case where a connection is not available. This is in complete opposition to the assertion that a user can continue to operate while waiting on the connection to be restored as required in Claim 12, step (f).

In short, the combination of Wright, Porter, and Brookler does not teach a method wherein when services are not available from a remote server, a questionnaire is executed on the local device. Instead, all three references assume a connection is available as needed.

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As such, combining Wright, Porter, Brookler, and Rappaport would yield a system which is premised on the notion, at its core, that network connectivity between a mobile user and a remote computer is always present. If such connectivity is not available, Rappaport teaches abrupt failure of the associated program by active termination. The other three references are simply silent on the issue. Thus, the combination does not yield Applicant's invention and it is believed that at least this aspect of the analysis of the art of record is flawed, and the instant rejection of same should be withdrawn and the associated claims confirmed.

Further, Applicant would dispute that Rappaport teaches a true method of reconnection. Per that reference, the only time a "reconnection" between the mobile user and the intended recipient can take place is if the data transmission (or voice) is only temporarily suspended. If the session is dismissed (e.g., by exceeding the maximum allowable number of reconnect attempts, unavailability of resources as might occur in connection with a cell-tower-to-cell-tower hand off, Figures 1 and 2 of Rappaport) the connection is terminated and no reconnection is possible or is taught.

Finally, Applicant would argue that the cited combination Rappaport is improper at least because Rappaport is nonanalogous art. At the time the invention was made, an inventor who was searching for a solution to the problem of how to manage data on portable computing devices when they cannot be connected to a remote server would *not* look to the management of telephone switching systems for inspiration. The inventor would either look to the technology of mobile computing devices or remote computing devices. It would be completely unreasonable to think that such inventor would look to massive telephone networks and techniques for

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controlling links when phone calls are handed off between towers to create the instant invention.

Recall, *In re Wood*, 599 F.2d 1032, 202 USPQ 171, 174 (C.C.P.A. 1979)

The determination that a reference is from a nonanalogous art is . . . twofold. First, we decide if the reference is within the field of the inventor's endeavor. If it is not, we proceed to determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved.

Here, systems and methods of managing telephone switching operations are certainly *not* within the instant inventor's field of endeavor nor are they reasonably pertinent to the particular problem which the inventor was trying to solve. Payne (the inventor) was not trying to develop a system by which a remote computing device could maintain continuous communication with a remote server but, instead, how such a device could operate in the face of uncertain network connections.

Accordingly, a number of claim limitations that are required by the instant claims are simply not present in the suggested combination. Applicant submits that, for at least the reasons set out above, Claim 12 is thus in condition for allowance. Claims 13, 14, and 16-18 depend from Claim 12 and are allowable at least for the reasons discussed with regard to Claim 12. Reconsideration and allowance of Claims 12-14 and 16-18 is respectfully requested.

With regard to Claim 24 as amended, Applicant would note that, as discussed with regard to Claim 12 and incorporated fully herein by reference. Claim 24, as amended, requires a hand held computing device which has an integral GPS, using the GPS to obtain location identifying information, transmitting the location identifying information from the GPS to and originating computer, a questionnaire customized for a particular location associated with the location, tokenizing of the questionnaire to produce a plurality of device indifferent tokens, and when the

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device on which the tokenized questionnaire is resident is brought to the location for which the questionnaire was designed, execution of at least a portion of the tokens. Nothing in the references of record teaches an approach such as that set out in Claim 24.

Accordingly and at least for the reasons set out above, Claim 24 is thus believed to be in condition for allowance. Reconsideration and allowance of Claim 24 is respectfully requested.

Claim 25 depends from claim 24 and is allowable at least for the reasons set forth above with regard to claim 24. Reconsideration and allowance of claim 25 is respectfully requested.

Claims 28-31 have been cancelled herein without prejudice and Applicant respectfully reserves the right to reurge claims 28-31. The rejection of claims 28-31 has become moot.

In the Office Action, claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Wright Reference in view of the Porter Reference in view of the Brookler Reference in view of the Rappaport Reference in view of US Publication 2001/0056374 (hereinafter the "Joao Reference"). The Office Actions further reads at Pages 15-16:

As per claim 8, Wright in view of Porter in view of Brookler in view of Rappaport does not explicitly teach the method for collecting survey data according to claim 7 further comprising: (f) assessing a charge for each transferred response received by said central computer.

Joao explicitly teaches (f) assessing a charge for each transferred response received by said central computer (para. 0230).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler in view of Rappaport to include assessing a charge for each transferred response received by said central computer as taught by Joao in order to receive compensation, a reward, a rebate, and/or an incentive (Joao, para. 0009).

One ordinary skill in the art would have been motivated to combine the teachings in order to facilitate commerce between any parties and/or any number of parties (Joao, para. 0009).

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Claim 8 depends from Claim 7 and is therefore allowable at least for the reasons discussed with regard to Claim 7. However, Applicant would note that Claim 8 further requires assessing a charge for each transferred response received at the central computer, while Joao generates a reward for the person taking the survey. Claim 8 generates revenue for the service collecting the survey results while Joao is a reward system for the user. Applicant respectfully submits that the charge assessed in Claim 8 is fundamentally different than the reward earned in Joao. Reconsideration and allowance of Claim 8 is respectfully requested.

In the Office Action, claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Wright Reference in view of the Porter Reference in view of the Brookler Reference in view of the Rappaport Reference in view of US Publication 2002/0137524 (hereinafter the "Bade Reference"). The Office Action reads at Pages 16-17:

As per claim 15, Wright in view of Porter in view of Brookler in view of Rappaport teaches the method for managing data according to Claim 12, wherein said step (d1) comprises the steps of: executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least one response from a user (Wright, Abstract, Porter, col. 4, lines 50-65).

However does not explicitly teach the art of authentication.

Bade explicitly teaches the well known method of authentication (Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Brookler in view of Rappaport to include the known method of authentication as taught by Bade in order to provide the predictable result of authentication of a device.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide security for a mobile device and information.

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Without conceding that Bade discloses authentication as required in Claim 15, Applicant would note that Claim 15 depends from Claim 12 and is therefore allowable for at least the reasons stated with regard to Claim 12. Reconsideration and allowance of Claim 15 is respectfully requested.

Claims 9-11 are rejected in the Office Action under 35 U.S.C. §103(a) as being unpatentable over US Patent US Publication 2002/0147850 (hereinafter the "Richards Reference") in view of the Porter Reference in view of the Rappaport Reference. The Office Action reads at Pages 1-20:

Claims 9-11 have been cancelled in this Amendment and Response, without prejudice, and Applicant respectfully reserves the right to re-urge claims 9-11. The rejection of claims 9-11 in the Office Action has become moot.

In the Office Action, claims 19-21, 26, 27 rejected under 35 U.S.C. 103(a) as being unpatentable over the Wright Reference in view of the Porter Reference in view of the Rappaport Reference in view of US Patent 6,462,708 (hereinafter the "Tsujiimoto Reference"). The Office Action further reads at Pages 20-24:

As per claim 19, 26, Wright teaches method for managing data comprising the steps of: (a) establishing communications between a handheld computing device and an originating computer, (b) receiving within said hand held computing device a transmission of a questionnaire customized for a particular location, said questionnaire comprising a plurality of tokens; (d) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to (Figs. 1-11, Abstract, col. 25, lines 1-50).

Wright does not explicitly teach tokenizing a questionnaire; device independent tokens;

(c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been terminated, when said handheld computing device is proximate to said particular

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location (e) establishing communications between said handheld computing device and a recipient computer; said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Porter explicitly tokenizing thereby producing a plurality of device independent tokens (col. 3, lines 38-65; col. 4, lines 50-65; tokenizing a file into a source file which maybe HTML or XML which as well known in the art is device independent);

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright to use the known method of tokenizing as taught by Porter in order to provide the predictable result of tokenizing a survey.

One ordinary skill in the art would have been motivated to combine the teachings in order to produce electronic surveys and feedback and reduce bandwidth (Wright, Abstract, Porter, col. 4, lines 50-65).

Wright in view of Porter does not explicitly teach (c) ending said communications between said handheld computing device and said originating computer; (d) after said communications has been terminated, when said handheld computing device is proximate to said particular location (e) establishing communications between said handheld computing device and a recipient computer;

said handheld device having at least a capability to determine a current location thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Rappaport explicitly teaches the known art of connection failure and reconnecting of mobile devices (Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter to include the known art of connection failure and reconnecting of mobile devices as taught by Rappaport in order to provide the predictable result of when connection fails, the mobile device reconnects and sends information once there is a connection.

One ordinary skill in the art would have been motivated to combine the teachings in order to provide reconnection to transfer information to a server.

Wright in view of Porter in view of Rappaport does not explicitly teach said handheld device having at least a capability to determine a current location

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thereof; collect at least said current location of said handheld computing device, and, (d2) storing within said handheld computing device said current location; (f) transmitting at least one value representative of said stored current location to said recipient computer.

Tsujimoto explicitly teaches the known system of a mobile device with a GPS to determine location (col. 1, lines 17-20). Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Wright in view of Porter in view of Rappaport to include the use of GPS for mobile devices as taught by Tsujimoto in order to provide the predictable result of a determination of a GPS location of a mobile device.

One ordinary skill in the art would have been motivated to combine the teachings in order to determine of a GPS location of a mobile device.

Wright in view of Porter in view of Rappaport in view of Tsujimoto does not explicitly teach when said remote computing device is proximate to said location.

Wright however, does teach a Joe's Diner's "customer comment card", Fig. 2a. The use of "customer comment card" is well known in the art as a form of feedback for services and/or products and is given at the location to be filled out and return to the vendor. Wright further teaches the art of sending electronic form for information gathering, col. 3, lines 5-67, col. 6, lines 1-30.

Therefore it would have been obvious to one ordinary skill in the art to combine the teachings of the prior art to have a customer comment card be sent to and filled out by a mobile user at the location of a restaurant in order to provide feedback to the vendor about products or services. One ordinary skill in the art would have been motivated to combine the teachings in order to provide a system to improve services/products through customer feedback.

As per claim 20, the method for managing data according to Claim 19 wherein said current location of said handheld computing device is determined using GPS (Tsujimoto, col. 1, lines 17-20).

As per claim 21, 27, wherein said originating computer and said recipient computer are a same computer (Wright, Figs. 1-11, col. 16, lines 50-55, Rappaport, Abstract, col. 2, lines 44-59; reconnecting to the computer to send response of survey).

Claim 19 has been amended to recite a questionnaire that includes at least one question requesting location identifying information, and automatically entering the location identifying

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information into the questionnaire. Support for these amendments can be found in Applicant's specification, and particularly paragraphs [0035], and [0065]-[0070].

Claim 19, as amended, requires the questionnaire include at least one question requesting location identifying information and when the device is at the location, executing at least a portion of the tokens and automatically entering the location identifying information into the questionnaire. None of the cited references disclose these steps.

Accordingly, Claim 19 is in condition for allowance. Claims 20 and 21 depend from Claim 19 and are allowable at least for the reasons stated with regard to Claim 19. Reconsideration and allowance of Claims 19-21 are respectfully requested.

Claim 26, as amended, requires a hand held computing device which has an integral GPS, using the GPS to obtain location identifying information, transmitting the location identifying information from the GPS to an originating computer, a questionnaire including at least one question requesting location identifying information, tokenizing of the questionnaire to produce a plurality of tokens, and when the device on which the tokenized questionnaire is resident is brought to the location for which the questionnaire was designed, execution of at least a portion of the tokens and including automatically entering the location identifying information into the questionnaire. Nothing in the references of record teaches an approach such as that set out in Claim 26. Support for these amendments can be found in Applicant's specification, and particularly paragraphs [0033], [0035], [0052], and [0069]-[0070].

Accordingly, Claim 26 is thus in condition for allowance. Claim 27 depends from Claim 26 and is therefore allowable at least for the reasons stated with regard to Claim 26. Reconsideration and allowance of Claims 26 and 27 is respectfully requested.

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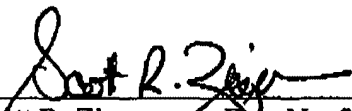
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Conclusion

This paper is intended to constitute a complete response to the Examiner's Office Action mailed November 6, 2015. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, please consider this an invitation to contact the undersigned by phone.

Respectfully submitted,

Date: May 6, 2016



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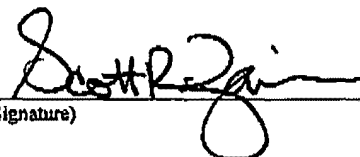
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I hereby certify that this correspondence and any document referred to as being attached thereto is being transmitted via facsimile to Art Unit 2451 in the U.S. Patent Office at fax number 571-273-8300 OR is being electronically filed via the USPTO's EFS web filing system, on May 6, 2016.

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TO	COMPANY NAME	FAX NUMBER
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FROM: Scott R. Zingerman, Esq.

**FELLERS, SNIDER, BLANKENSHIP,
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Re: U.S. Patent Application No.: 12/910,706
Attorney Docket No. 47267/10-351

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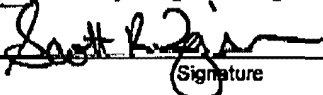
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MAY 06 2016

PTO/AIA/22 (03-13)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 47267/10-351	
Application Number 12/910,706		Filed 10/22/2010	
For SYSTEM AND METHOD FOR DATA MANAGEMENT			
Art Unit 2451		Examiner BACKHEAN TIV	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	Fee	Small Entity Fee	Micro Entity Fee
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 200	\$ 100	\$ 50
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 600	\$ 300	\$ 150
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1400	\$ 700	\$ 350
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 2200	\$ 1100	\$ 550
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 3000	\$ 1500	\$ 750
<input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.20. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>08-0540</u> . <input type="checkbox"/> Payment made via EFS-Web.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
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 Signature		May 6, 2016 Date	
Scott R. Zingerman Typed or printed name		918/599-0621 Telephone Number	
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.*			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

#65314-v1

05/11/2016 JVONG1 0000020 12910706

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United Patents

Exhibit 1002

Page 2541 of 2584

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/910,706	Filing Date 10/22/2010	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT	05/06/2016	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	* 24	Minus	** 31	= 0	X \$40 = 0	
	Independent <small>(37 CFR 1.16(h))</small>	* 6	Minus	*** 8	= 0	X \$210 = 0	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	0	

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

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/EVELYN NIMMONS/

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

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UNITED STATES DEPARTMENT OF COMMERCE
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NOTICE OF ALLOWANCE AND FEE(S) DUE

22206 7590 07/07/2016
FELLERS SNIDER BLANKENSHIP
BAILEY & TIPPENS
THE KENNEDY BUILDING
321 SOUTH BOSTON SUITE 800
TULSA, OK 74103-3318

Table with 2 columns: EXAMINER (TIV, BACKHEAN), ART UNIT (2451), PAPER NUMBER (8703)

DATE MAILED: 07/07/2016

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

TITLE OF INVENTION: SYSTEM AND METHOD FOR DATA MANAGEMENT

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

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies. If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above. If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)". For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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

22206 7590 07/07/2016
**FELLERS SNIDER BLANKENSHIP
 BAILEY & TIPPENS
 THE KENNEDY BUILDING
 321 SOUTH BOSTON SUITE 800
 TULSA, OK 74103-3318**

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/910,706	10/22/2010	J. David Payne	71855/10-351	8703

TITLE OF INVENTION: SYSTEM AND METHOD FOR DATA MANAGEMENT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	10/07/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
TIV, BACKHEAN	2451	709-203000

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

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

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

(A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

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

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

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

Unified Patents

Exhibit 1002



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/910,706 10/22/2010 J. David Payne 71855/10-351 8703

22206 7590 07/07/2016
FELLERS SNIDER BLANKENSHIP
BAILEY & TIPPENS
THE KENNEDY BUILDING
321 SOUTH BOSTON SUITE 800
TULSA, OK 74103-3318

EXAMINER

TIV, BACKHEAN

ART UNIT PAPER NUMBER

2451

DATE MAILED: 07/07/2016

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(Applications filed on or after May 29, 2000)

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

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

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

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

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

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

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 12/910,706	Applicant(s) PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	AIA (First Inventor to File) Status No

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

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

1. This communication is responsive to 5/6/16.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 1-8,12-21 and 24-27. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

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

* Certified copies not received: _____.

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

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

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

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/17/16</u> . | |

/BACKHEAN TIV/
Primary Examiner, Art Unit 2451

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given in a telephone interview with Scott Zingerman(35422) on 6/17/16.

The application has been amended as follows:

1. (Currently Amended) A method for managing data including the steps of:
 - (a) creating a questionnaire comprising a series of questions customized for a location;
 - (b) said questionnaire including at least one question requesting GPS coordinates ~~location-identifying information~~;
 - (c) tokenizing said questionnaire, thereby producing a plurality of device indifferent tokens representing said questionnaire;
 - (d) transmitting said plurality of tokens to a remote computing device;
 - (e) when said remote computing device is ~~proximate to~~ at said location, executing at least a portion of said plurality of tokens representing said questionnaire at within said remote computing device to collect a response from a user;
 - (f) automatically entering the GPS coordinates ~~location-identifying information~~ into said questionnaire;

Art Unit: 2451

(g) transmitting at least a portion of said response from the user to a server in real time via a network; and

(h) storing said response at said server.

7. (Currently Amended) A method for collecting survey data from a user and making responses available via the Internet, comprising:

(a) designing a questionnaire including at least one question said questionnaire customized for a particular location having branching logic on a first computer platform wherein at least one of said at least one questions requests location identifying information;

(b) automatically transferring said designed questionnaire to at least one loosely networked computer having a GPS integral thereto;

(c) when said loosely networked computer is ~~proximate to~~ at said particular location, executing said transferred questionnaire on said loosely networked computer, thereby collecting responses from the user;

(d) while said transferred questionnaire is executing, using said GPS to automatically provide said location identifying information as a response to said executing questionnaire;

(e) automatically transferring via the loose network any responses so collected in real time to a central computer; and,

(f) making available via the Internet any responses transferred to said central computer in step (e).

10-11.(Cancelled)

19. (Currently Amended) A method for managing data comprising the steps of:

(a) establishing communications between a handheld computing device and an originating computer, said handheld device having at least a capability to determine a current location thereof;

(b) receiving within said handheld computing device a transmission of a tokenized questionnaire including at least one question requesting GPS coordinates ~~location-identifying information~~, said tokenized questionnaire comprising a plurality of device independent tokens;

(c) ending said communications between said handheld computing device and said originating computer;

(d) after said communications has been terminated, when said handheld computing device is at said particular location

(d1) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device to collect at least said current location of said handheld computing device, and,

(d2) storing within said handheld computing device said current location;

(d3) automatically entering the GPS coordinates ~~location-identifying information~~ into said questionnaire;

Art Unit: 2451

(e) establishing communications between said handheld computing device and a recipient computer; and,

(f) transmitting at least one value representative of said stored current location to said recipient computer.

26. (Currently Amended) A method for managing data comprising the steps of:

(a) within a central computer, accessing at least one user data item stored in a recipient computer, wherein said at least one data item is obtained via the steps of:

(1) establishing communications between a handheld computing device and an originating computer wherein said handheld computing device has a GPS integral thereto;

(2) receiving within said handheld computing device a transmission of a tokenized questionnaire, including at least one question requesting GPS coordinates ~~location-identifying information~~ and at least one additional question, said tokenized questionnaire comprising a plurality of device independent tokens;

(3) ending said communications between said handheld computing device and said originating computer;

(4) after said communications has been ended,

(i) executing at least a portion of said plurality of tokens comprising said questionnaire on said handheld computing device,

Art Unit: 2451

- (ii) automatically entering the GPS coordinates ~~location-identifying information~~ into said questionnaire;
 - (iii) presenting said at least one additional question to a user;
 - (iv) receiving at least one response from the user to each of said presented at least one additional question,
 - (v) storing at least one value representative of said GPS coordinates ~~location-identifying information~~ and said at least one response within said handheld computing device;
- (5) establishing a communications link between said handheld computing device and a recipient computer;
- (6) transmitting said stored at least one value representative of said GPS coordinates ~~location-identifying information~~ and said at least one response stored within said handheld computing device to said recipient computer;
- and,
- (7) storing within said recipient computer any of said transmitted GPS coordinates ~~location-identifying information~~ and said at least one value representative of said at least one response, thereby creating said at least one user data item stored in said recipient computer; and,
- (b) forming a visually perceptible report from any of said at least one stored user data item.

REASONS FOR ALLOWANCE

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

Art Unit: 2451

The closest prior art of record are US Patent 5,704,029 issued to Wright, Jr, which teaches an electronic questionnaire which includes various fields for inputting response to the questions.

US Publication 2002/0007303 issued to Brookler et al., which teaches a system to create survey, pushing the survey to respondents, and making the result of the survey available to the creator of the survey.

US Publication 2002/0147850 issued to Richards et al, teaches creation of survey and ask questions in a logical manner through the use of logic trees.

However the prior art singly or in combination does not teach the totality of the independent claims when read in light of the specification(para.0008,0027,0030,0063-0070). Also claims recites the use of a GPS integral thereto which obtain location identifying information which is interpreted as a GPS obtaining GPS coordinates for the handheld device. see also Remarks filed on 5/6/16, pgs.21-23,26-29,35-36 and Remarks filed 5/9/14,pgs.16-18,20-23,25-29,33.

In further the term "networked" is presumed to be "loosely networked", which as describe as in para.0027 is defined as a network computer system wherein devices on the network are tolerant of intermittent network connection and tolerant of the type of network connection available and when a network connection is unavailable at that moment, the information is temporarily stored in the device and later transmitted when the connection is restored is read into the claims.

Art Unit: 2451

The term "token" as defined and argued in the Interview held on 11/16/2012, has a special meaning(i.e. logical, mathematical or branching operation), para.0054 of applicant's specification which is read into the claims.

Note: all conditional limitations are given patentable weight.

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 BACKHEAN TIV whose telephone number is (571)272-5654. The examiner can normally be reached on M-THUR 5:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHRISTOPHER L. PARRY can be reached on (571) 272-8328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2451

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BACKHEAN TIV/
Primary Examiner, Art Unit 2451

Applicant-Initiated Interview Summary	Application No. 12/910,706	Applicant(s) PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	

All participants (applicant, applicant's representative, PTO personnel):

- (1) BACKHEAN TIV. (3) SCOTT ZINGERMAN(35422).
(2) _____. (4) _____.

Date of Interview: 6/17/16.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1,7,10,11,19 and 26.

Identification of prior art discussed: N/A.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

APPLICANT AUTHORIZED CANCELLING CLAIMS 10,11, AND AMENDING CLAIMS TO ADVANCE THE PROSECUTION OF THE APPLICATION.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/BACKHEAN TIV/
Primary Examiner, Art Unit 2451

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Notice of References Cited	Application/Control No. 12/910,706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	Page 1 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-4,937,439 A	06-1990	Wanninger; Lester A.	G06F3/033	235/456
*	B	US-5,442,786 A	08-1995	Bowen; Robert E.	G06F17/30961	707/758
*	C	US-5,555,101 A	09-1996	Larson; Joseph C.	G06F17/243	358/400
*	D	US-5,704,029 A	12-1997	Wright, Jr.; Gerald V.	G06F17/243	345/173
*	E	US-5,757,916 A	05-1998	MacDoran; Peter F.	G01S19/215	342/357.48
*	F	US-5,842,195 A	11-1998	Peters; Graham	G06Q30/02	1/1
*	G	US-5,991,771 A	11-1999	Falls; Patrick T.	G06F9/466	1/1
*	H	US-6,163,811 A	12-2000	Porter; Swain W.	H04L29/06	707/999.101
*	I	US-6,230,142 B1	05-2001	Benigno; Benedict B.	G06F19/325	705/2
*	J	US-2002/0007303 A1	01-2002	Brookler, Brent D.	G06Q30/02	705/7.32
*	K	US-2002/0026338 A1	02-2002	BUKOW, HANS MAX THEODORE	G06Q10/063112	705/7.14
*	L	US-2002/0087361 A1	07-2002	Benigno, Benedict B.	G06F19/325	705/3
*	M	US-2002/0137524 A1	09-2002	Bade, Steven A.	H04W12/08	455/456.2

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Notice of References Cited	Application/Control No. 12/910,706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	Page 2 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-6,462,708 B1	10-2002	Tsujimoto; Ikuo	G01S5/0009	342/357.43
*	B	US-6,477,373 B1	11-2002	Rappaport; Stephen S.	H04W36/12	455/436
*	C	US-2002/0194219 A1	12-2002	Bradley, George Wesley	G06F17/243	715/223
*	D	US-2003/0022656 A1	01-2003	Hinnant, Harris O. JR.	G01S5/02	455/410
*	E	US-6,519,571 B1	02-2003	Guheen; Michael F.	G06Q30/02	705/14.66
*	F	US-6,584,464 B1	06-2003	Warthen; David	G06F17/30398	1/1
*	G	US-6,615,166 B1	09-2003	Guheen; Michael F.	G06Q10/06	703/26
*	H	US-6,631,184 B1	10-2003	Weiner; Moshe	H04L12/2854	379/92.01
*	I	US-2004/0122730 A1	06-2004	Tucciarone, Joel D.	G06Q10/107	705/14.36
*	J	US-6,826,726 B2	11-2004	Hsing; Jeff	G06F17/30578	707/999.201
*	K	US-7,181,225 B1	02-2007	Moton, Jr.; Robert T.	H04W16/00	455/414.2
*	L	US-2007/0050256 A1	03-2007	Walker; Jay	G06Q30/00	705/14.19
*	M	US-2007/0242809 A1	10-2007	Mousseau; Gary	H04M7/0036	379/88.18

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Notice of References Cited	Application/Control No. 12/910,706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	Page 3 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-7,310,350 B1	12-2007	Shao; Victor	H04W4/00	370/338
*	B	US-2008/0098291 A1	04-2008	Bradley; George Wesley	G06F17/243	715/223
*	C	US-7,693,283 B2	04-2010	Livesay; Paul Owen	H04L63/0421	380/255
*	D	US-7,739,658 B2	06-2010	Watson; Mark Alexander	G06F17/30905	709/217
*	E	US-2012/0008560 A1	01-2012	Lewis; Allan D.	G06Q20/102	370/328
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				


FOREIGN PATENT DOCUMENTS

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	S					
	T					

NON-PATENT DOCUMENTS

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

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

Search Notes 	Application/Control No. 12910706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID
	Examiner BACKHEAN TIV	Art Unit 2451

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	203	03/09/2011	NT
709	223	03/09/2011	NT
709	224	03/09/2011	NT

SEARCH NOTES		
Search Notes	Date	Examiner
Keyword search using EAST	03/09/2011	NT
UPDATE SEARCH	9/16/2012	BT
UPDATE SEARCH	10/21/2015	BT
UPDATE SEARCH	11/4/2015	BT
UPDATE SEARCH	6/24/2016	BT

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
G06F	17/243,17/2247,19/363	6/24/2016	BT
G06Q	30/0203	6/24/2016	BT
G06B	7/06	6/24/2016	BT

	/BACKHEAN TIV/ Primary Examiner.Art Unit 2451
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Unified Patents

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	275	(location or GPS) near3 coordinat\$4 with (survey or question\$5) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/24 09:45
L3	3	(("6163811") or ("20020007303") or ("6477373")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2016/06/24 10:11
L4	1	("20020147850").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2016/06/24 10:14
L5	28	(US-20020026338-\$ or US-20020087361-\$ or US-20020007303-\$ or US-20070242809-\$ or US-20080098291-\$ or US-20020194219-\$ or US-20120008560-\$ or US-20030022656-\$ or US-20020137524-\$).did. or (US-6519571-\$ or US-7693283-\$ or US-5757916-\$ or US-6615166-\$ or US-6230142-\$ or US-7310350-\$ or US-6631184-\$ or US-5555101-\$ or US-5704029-\$ or US-7739658-\$ or US-6826726-\$ or US-6584464-\$ or US-6477373-\$ or US-6462708-\$ or US-5842195-\$ or US-5991771-\$ or US-5442786-\$ or US-6163811-\$).did. or (US-6577713-\$).did.	US-PGPUB; USPAT; DERWENT	OR	OFF	2016/06/24 10:20
L13	1	1 AND ((G06F17/243 OR G06F17/2247 OR G06F19/363 OR G06Q30/0203 OR G09B7/06).CPC.)	US-PGPUB; USPAT; DERWENT	OR	OFF	2016/06/24 10:23
S1	2	("20040210472").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/15 15:56
S2	2	("20030198934").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/15 15:57
S3	643	creat\$4 near4 (survey or questionnaire) and (@ad<="20010831" or	US-PGPUB; USPAT; USOCR;	OR	ON	2012/09/15 16:18

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		@rlad<="20010831")	FPRS; EPO; JPO; DERWENT; IBM_TDB			
S4	33	creat\$4 near4 (survey or questionnaire) same feedback and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:18
S5	0	creat\$4 near4 (survey or questionnaire) with token\$4 and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:20
S6	0	creat\$4 near4 (survey or questionnaire) same token\$4 and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:20
S7	23	creat\$4 near4 (survey or questionnaire) and token\$4 and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:20
S8	9	creat\$4 near4 (survey or questionnaire) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:29
S9	242	creat\$4 near4 (survey or questionnaire or form) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:31
S10	19	creat\$4 near4 (survey or questionnaire or form) same mobile and (download\$4 or upload\$4) near4 (survey or questionnaire or form) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/15 16:32
S11	2	("5555101").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/15 16:33
S12	4	((("6826726") or ("7739658")).PN.	US-PGPUB;	OR	OFF	2012/09/15

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			16:37
S13	367	tokenizer and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:17
S14	1	tokenizer near4 question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:18
S15	2	tokenizer with question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:18
S16	2	tokenizer with (question or survey) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:19
S17	68	tokenizer same (question or survey) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:19
S18	0	tokenizer same (question or survey) same feedback and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:20
S19	56	tokenizer same (question or survey) and feedback and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:20
S20	6	((("5704029") or ("6584464") or ("20020007303"))).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	OFF	2012/09/16 09:45

S21	2	S20 and updat\$4	IBM_TDB US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 09:46
S22	0	("20010056837").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 10:06
S23	0	("200100568374").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 10:07
S24	2	("20010056374").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 10:07
S25	1	charg\$4 near4 response with survey and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:09
S26	5	(charg\$4 or fee) near4 response with survey and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:09
S27	14	(charg\$4 or fee) with response with survey and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:11
S28	0	mobile near3 re\$connect near4 server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S29	1	mobile with re\$connect near4 server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS;	OR	ON	2012/09/16 10:50

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			EPO; JPO; DERWENT; IBM_TDB			
S30	18	mobile with re\$connect\$4 near4 server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S31	0	mobile with re\$connect\$4 near4 server same GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:50
S32	1	mobile with re\$connect\$4 near4 server and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:51
S33	1	mobile with re\$connect\$4 with server and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:51
S34	44	mobile with re\$connect\$4 and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:52
S35	10	mobile with re\$connect\$4 and connection with (fail\$4 or un\$available) and GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:53
S36	53	mobile with re\$connect\$4 and connection with (fail\$4 or un\$available) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 10:55
S37	24237412	authenticate near3 mobile (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:07
S38	663	authenticate near3 mobile and (@ad<="20010831" or	US-PGPUB; USPAT;	OR	ON	2012/09/16

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		@rlad<="20010831")	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S39	2	authenticate near3 mobile same GPS and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:09
S40	33	send\$4 near4 GPS near4 location with server and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/09/16 11:18
S41	2	("5842195").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2012/09/16 13:06
S42	4	((("6477373") or ("20010056374") or ("20020137524") or ("6462708")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/03/27 09:24
S43	1	("7822816").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/10 11:08
S44	1	(12/910706).APP.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/10 12:17
S45	4	((("6453329") or ("20020147850") or ("6163811") or ("6618746")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/14 09:56
S46	2	((("5991771") or ("5442786")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/07/14 10:50
S47	3	("20110040831").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/10/07 07:35
S48	4	("7822816").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/10/07 07:37
S49	264	(survey or questionnaire) same (location or proximat\$4) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2015/10/07 07:40

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			DERWENT; IBM_TDB			
S50	0	(survey or questionnaire) with (location or proximat\$4) near4 (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S51	0	(survey or questionnaire) with (location or proximat\$4) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S52	0	(survey or questionnaire) with (location or proximat\$4 or GPS) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/07 07:40
S53	1	(survey or questionnaire) same (location or proximat\$4 or GPS) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:24
S54	2	(survey or questionnaire) with (restaurant or business or venue) same mobile and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:25
S55	1048	(survey or questionnaire) with (restaurant or business or venue) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:25
S56	1	creating near4 (survey or questionnaire) with (restaurant or business or venue) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 08:25
S57	1	("7822816").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/10/21 08:58
S58	17	device near3 independent near3 token and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 10:56

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S59	1	device adj3 independent near3 question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 11:01
S60	3	device near2 independent near3 question and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/21 11:02
S61	0	tokenizer with security and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/22 07:13
S62	1641	(tokenizer or token) near4 security and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/22 07:13
S63	285	(tokenizer or token) near4 (data or information) near4 security and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/22 07:14
S64	6	(survey or questionnaire) with (restaurant or business or venue) near3 (location or GPS) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/10 10:22
S65	1514	(survey or questionnaire) near3 (location or GPS) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/10 10:23
S66	0	(survey or questionnaire) near3 (location or GPS) same automatic\$4 near4 (entering or enter or import\$4) near4 (location or GPS or coordinate) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/10 10:24
S67	88	(obtain\$4 or determin\$4) near4 (location or GPS) near3 coordinat\$4 same (survey or question\$5) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2016/06/10 10:27

Unified Patents


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			DERWENT; IBM_TDB			
S68	58	(obtain\$4 or determin\$4) near4 (location or GPS) near3 coordinat\$4 with (survey or question\$5) and (@ad<="20010831" or @rlad<="20010831")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/10 10:27
S69	27	(US-20020026338-\$ or US- 20020087361-\$ or US-20020007303-\$ or US-20070242809-\$ or US- 20080098291-\$ or US-20020194219-\$ or US-20120008560-\$ or US- 20030022656-\$ or US-20020137524- \$.did. or (US-6519571-\$ or US- 7693283-\$ or US-5757916-\$ or US- 6615166-\$ or US-6230142-\$ or US- 7310350-\$ or US-6631184-\$ or US- 5555101-\$ or US-5704029-\$ or US- 7739658-\$ or US-6826726-\$ or US- 6584464-\$ or US-6477373-\$ or US- 6462708-\$ or US-5842195-\$ or US- 5991771-\$ or US-5442786-\$).did. or (US-6577713-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2016/06/10 10:53

6/ 24/ 2016 10:29:23 AM


C:\Users\btiv\Documents\EAST\Workspaces\12910706_creating_survey_feedback_mobile.wsp

Issue Classification 	Application/Control No. 12910706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID	
	Examiner BACKHEAN TIV	Art Unit 2451	

CPC						
Symbol					Type	Version
G06Q		10		10	F	2013-01-01
G06F		17		243	A	2013-01-01
G06F		17		2247	A	2013-01-01
G09B		7		06	A	2013-01-01
G06Q		30		0203	A	2013-01-01
G06Q		30		02	I	2013-01-01


CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	22	
/BACKHEAN TIV/ Primary Examiner. Art Unit 2451	06/24/2016	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

Issue Classification 	Application/Control No. 12910706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID
	Examiner BACKHEAN TIV	Art Unit 2451


US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION												
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED							
						G	0	6	Q	10 / 10 (2012.01.01)								
CROSS REFERENCE(S)																		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	

NONE			Total Claims Allowed:	
(Assistant Examiner)			22	
(Date)				
/BACKHEAN TIV/ Primary Examiner. Art Unit 2451			06/24/2016	O.G. Print Claim(s)
(Primary Examiner)			(Date)	O.G. Print Figure
			1	5

Issue Classification 	Application/Control No. 12910706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID
	Examiner BACKHEAN TIV	Art Unit 2451

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input checked="" type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47									
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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2	2	15	18												
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10	13														
11	14														
12	15														
13	16														

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	22	
/BACKHEAN TIV/ Primary Examiner. Art Unit 2451	06/24/2016	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

Index of Claims 	Application/Control No. 12910706	Applicant(s)/Patent Under Reexamination PAYNE, J. DAVID
	Examiner BACKHEAN TIV	Art Unit 2451

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

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

CLAIM		DATE							
Final	Original	03/09/2011	09/16/2012	03/26/2013	11/04/2015	06/10/2016	06/24/2016		
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-	31		✓	✓	✓	-	-		



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BIB DATA SHEET

CONFIRMATION NO. 8703

SERIAL NUMBER 12/910,706	FILING or 371(c) DATE 10/22/2010	CLASS 709	GROUP ART UNIT 2451	ATTORNEY DOCKET NO. 71855/10-351	
APPLICANTS INVENTORS J. David Payne, Broken Arrow, OK; ** CONTINUING DATA ***** This application is a CON of 10/643,516 08/19/2003 PAT 7822816 which claims benefit of 60/404,491 08/19/2002 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 11/03/2010					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>/BACKHEAN TIV/</u> Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials _____	STATE OR COUNTRY OK	SHEETS DRAWINGS 6	TOTAL CLAIMS 22	INDEPENDENT CLAIMS 6
ADDRESS FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS THE KENNEDY BUILDING 321 SOUTH BOSTON SUITE 800 TULSA, OK 74103-3318 UNITED STATES					
TITLE SYSTEM AND METHOD FOR DATA MANAGEMENT					
FILING FEE RECEIVED 1298	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

PART B - FEE(S) TRANSMITTAL

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

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

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

22206 7590 07/07/2016
FELLERS SNIDER BLANKENSHIP
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321 SOUTH BOSTON SUITE 800
TULSA, OK 74103-3318

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

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

Jamie A. Robinson	(Depositor's name)
<i>Jamie A. Robinson</i>	(Signature)
08/24/2016	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/910,706	10/22/2010	J. David Payne	71855/10-351	8703

TITLE OF INVENTION: SYSTEM AND METHOD FOR DATA MANAGEMENT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	10/07/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
TIV, BACKHEAN	2451	709-203000

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

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

Fellers, Snider, Blankenship,
 1 Bailey & Tippens, P.C.
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)
 PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: EDICHE, LLC
 (B) RESIDENCE: (CITY and STATE OR COUNTRY) TULSA, OK

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

4a. The following fee(s) are submitted:
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 Publication Fee (No small entity discount permitted)
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4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)
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5. Change in Entity Status (from status indicated above)
 Applicant certifying micro entity status. See 37 CFR 1.29
 Applicant asserting small entity status. See 37 CFR 1.27
 Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
 NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
 NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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

Authorized Signature: *Terry L. Watt* Date: 08/24/2016
 Typed or printed name: Terry L. Watt Registration No. 42214

Electronic Patent Application Fee Transmittal

Application Number:	12910706
Filing Date:	22-Oct-2010
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Filer:	Terry L. Watt/Jamie Robinson
Attorney Docket Number:	71855/10-351

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	480	480

Unified Patents

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

Electronic Acknowledgement Receipt

EFS ID:	26735873
Application Number:	12910706
International Application Number:	
Confirmation Number:	8703
Title of Invention:	SYSTEM AND METHOD FOR DATA MANAGEMENT
First Named Inventor/Applicant Name:	J. David Payne
Customer Number:	22206
Filer:	Terry L. Watt/Jamie Robinson
Filer Authorized By:	Terry L. Watt
Attorney Docket Number:	71855/10-351
Receipt Date:	24-AUG-2016
Filing Date:	22-OCT-2010
Time Stamp:	15:03:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$480
RAM confirmation Number	082516INTEFSW15044000
Deposit Account	1010
Authorized User	Jamie Robinson

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

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Exhibit 1002

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	IssueFeeTransmittal_08-24-2016.pdf	128679 c15baefbb6d3f234f9b7518e51cc1b0326e4796c	no	1

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30618 d686818e2b2429d7004b71456d1c2e57c34fb4a9	no	2
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Information:

Total Files Size (in bytes):	159297
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New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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



APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/910,706	09/27/2016	9454748	71855/10-351	8703

22206 7590 09/07/2016
 FELLERS SNIDER BLANKENSHIP
 BAILEY & TIPPENS
 THE KENNEDY BUILDING
 321 SOUTH BOSTON SUITE 800
 TULSA, OK 74103-3318

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 500 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

J. David Payne, Broken Arrow, OK;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court FOR THE EASTERN DISTRICT OF TEXAS on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 6:17-CV-202	DATE FILED 4/5/2017	U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
PLAINTIFF FALL LINE PATENTS, LLC		DEFENDANT AMERICAN AIRLINES GROUP, INC. and AMERICAN AIRLINES, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 9,454,748		FALL LINE PATENTS, LLC
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court FOR THE EASTERN DISTRICT OF TEXAS on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 6:17-CV-203	DATE FILED 4/5/2017	U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
PLAINTIFF FALL LINE PATENTS, LLC		DEFENDANT CINEMARK HOLDINGS, INC. and CINEMARK USA, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 9,454,748		FALL LINE PATENTS, LLC
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court FOR THE EASTERN DISTRICT OF TEXAS on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 6:17-CV-204	DATE FILED 4/5/2017	U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
PLAINTIFF FALL LINE PATENTS, LLC		DEFENDANT GRUBHUB HOLDINGS, INC. and GRUBHUB, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 9,454,748		FALL LINE PATENTS, LLC
2		
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy