



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date of Deposit:	06/09/04	Name of Person Making the Deposit:	Julie Williams	Signature of the Person Making the Deposit:	<i>Julie Williams</i>
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In re Application of: E. Michael Lunsford, Steve Parker, David Kammer and David Moore

Serial No.: 09/727,727

Examiner: Milord, Marceau

Filed: 11/30/00

Art Unit: 2682

For: A METHOD AND SYSTEM FOR WIRELESSLY AUTODIALING A TELEPHONE NUMBER FROM A RECORD STORED ON A PERSONAL INFORMATION DEVICE

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

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Technology Center 2600

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application

Transmitted herewith is a response to an office action for the above identified patent application.
(5 sheets)

Transmitted herewith are _____ sheets of substitute formal drawings.

Other:

2. Applicant is other than a small entity

Extension of Term

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a) [] Applicant petitions for an extension of time under 37 C.F.R. 1.136
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

<u>Extension</u>	<u>Fee</u>
[] one month	\$110.00
[] two months	\$420.00
[] three months	\$950.00
[] four months	\$1,480.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

Fee Calculation

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(for other than a small entity)					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	16	- 20 =	0	x \$18.00	\$0.00
Independent Claims	2	- 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$290.00	\$0.00
Total Fees					\$0.00

PAYMENT OF FEES

5. The full fee due in connection with this communication is provided as follows:


- The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085.
A duplicate copy of this authorization is enclosed.
- A check in the amount of \$
- Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 23-0085.

Please direct all correspondence concerning the above-identified application to the following address:

WAGNER, MURABITO & HAO LLP
Two North Market Street, Third Floor
San Jose, California 95113
(408) 938-9060
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Respectfully submitted,

Date: 6/9/09

By: 
John P. Wagner, Jr.
Reg. No. 35,398



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Lunsford et al.)
Serial No.: 09/727,727)
Filed: November 30, 2000)
For: A METHOD AND SYSTEM FOR)
WIRELESSLY AUTODIALING A)
TELEPHONE NUMBER FROM A)
RECORD STORED ON A PERSONAL)
INFORMATION DEVICE)

Examiner: Milford, M.
Art Unit: 2682

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RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action dated March 12, 2004, Applicant respectfully requests the Examiner to consider the following remarks.

REMARKS

Claims 19-34 remain pending in the Application.

Rejections under 35 USC 103(a)

Claims 19-34

In the Office Action, the Examiner rejected Claims 19-34 under 35 USC 103(a) as being unpatentable over Bell (6,600,902 B1) in view of Sutphin (5,109,403). Applicant has reviewed Bell in view of Sutphin and respectfully asserts that the claimed embodiments of the present invention are not obvious in view of Bell and Sutphin for the following rationale.

Applicant respectfully states that Independent Claims 19 and 27 recite the feature “a personal information device configured to control a telephone via a wireless communication such that the telephone dials a number stored on the personal information device (PID).” As the Examiner has stated, Bell does not teach or disclose the present feature.

However, Applicant respectfully disagrees that Sutphin remedies the deficiencies of Bell. Moreover, Applicant understands Sutphin to teach away from a further feature of Claims 19 and 27. That is, Claims 19 and 27 include the feature “transferring data over a wireless port for short range wireless data transfer.” That is, the port for transferring data between the PID and the telephone is a short-range wireless port. As clearly described in the specification of the present invention, one embodiment of the technology is Bluetooth with a limited range (a few feet to a few tens of feet). Applicant understands Sutphin to teach away from the use of the wireless port and

instead Applicant understands Sutphin (e.g., Figure 1) to utilize the mobile telephone switching office and a cell-site facility to place a call to a mobile telephone over a network in the standard fashion for most mobile phone technology. Therefore, the telephone may be any distance from the host computer of Sutphin, including across the country, or even the planet, as long as it is in the mobile network range.

Therefore, the combination of Sutphin with Bell is not obvious due to the different technologies utilized. As such, the combination of Bell and Sutphin is improper. Specifically, Sutphin does not teach utilizing a short-range wireless data transfer at all.

In addition to utilizing a completely different and incompatible wireless communications method, Applicant respectfully disagrees that Sutphin remedies the deficiencies of Bell with respect to the feature “a personal information device configured to control a telephone via a wireless communication such that the telephone dials a number stored on the personal information device (PID).”

Applicant understands Sutphin to teach placing a call to a mobile telephone from a host computer over a network in a standard fashion. That is, Applicant understands the mobile phone of Sutphin to monitor the network and receive a phone call from a host computer via the paging network (the phone

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