



JPL 2682

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.			
Date of Deposit:	02/14/06	Name of Person Making the Deposit:	Donna Petford
		Signature of the Person Making the Deposit:	<i>Donna Petford</i>

In re Application of: E. Michael LUNSFORD, Steve PARKER, David KAMMER, David MOORE

Application No.: 09/727,727

Examiner: MILORD, Marceau

Filed: 11/30/00

Art Unit: 2682

Confirmation No.: 7522

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

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.
(..... sheets)
- Transmitted herewith are sheets of substitute formal drawings.
- Other: Supplemental Amendment and Response (12 sheets)

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>
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00
<input type="checkbox"/> five months	\$2,160.00
	Fee \$ _____

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

(b) 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	- =	0	x \$50.00	0.00
Independent Claims	2	- =	0	x \$200.00	0.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$360.00	
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:

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Respectfully submitted,

Date: 2/14/06

By: BMF
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PALM-2910.SG

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

LUNSFORD et al.

Serial No. 09/727,727

Filing Date: November 30, 2000

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

Examiner: Milord, Marceau

Art Unit: 2682

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

SUPPLEMENTAL AMENDMENT AND RESPONSE

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed on January 17, 2006 regarding the Amendment and Response To Final Office Action filed on November 9, 2005, Applicants respectfully request reconsideration of the above captioned patent application in view of the amendments and arguments set forth below.

Serial No. 09/727,727
Examiner: Milord, Marceau

Art Unit 2682
PALM-2910.SG

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1-18. (cancelled)

19. (currently amended) An automated telephone dialing system, comprising:

a telephone having a wireless port for short range wireless data transfer;
and

a personal information device handheld computer system having a wireless port for communication with the wireless port on the telephone, wherein a specific telephone number is selectable from a list displayed on the handheld computer system and wherein the handheld computer system is operable to transfer the specific telephone number to the telephone using a wireless communication, and wherein the personal information device handheld computer system is configured to control the telephone via [[a]] the wireless communication such that the telephone dials a telephone number stored on the personal information device the specific telephone number.

20. (currently amended) The system of Claim 19 wherein the dialing of the specific telephone number by the telephone is automatically effected in response to a user interacting with the information stored on the ~~personal information device~~ handheld computer system.

21. (currently amended) The system of claim 20 wherein the information stored in the ~~personal information device~~ handheld computer system includes contact information.

22. (currently amended) The system of claim 20 wherein the ~~information stored on the personal information device~~ list is presented as a list of contacts and the telephone number dialed by the telephone corresponds to one of the contacts selected by the user.

23. (currently amended) The system of Claim 20 wherein the information stored on the ~~personal information device~~ handheld computer system is maintained by a management program executing on the ~~personal information device~~ handheld computer system and the management program controls the telephone via the wireless communication.

24. (previously presented) The system of Claim 23 wherein the management program is an address book program.

25. (previously presented) The system of Claim 19 wherein the wireless communication is compatible with a version of the Bluetooth specification.

26. (previously presented) The system of Claim 19 wherein the wireless communication is compatible with a version of the IrDA specification.

27. (currently amended) An automatic wireless telephone dialing method, comprising the steps of:

a) establishing a wireless communications link for a short range data transfer between a telephone and a ~~personal information device~~ handheld computer system;

b) ~~accessing a telephone number stored on the personal information device~~ receiving a user input identifying a specific telephone number from a list displayed on the handheld computer system; ~~[[and]]~~

c) transferring the specific telephone number from the handheld computer system to the telephone using a wireless communication; and

~~[[c]]~~ d) controlling the telephone using the ~~personal information device handheld computer system~~ to cause the telephone to dial the specific telephone number stored on the ~~personal information device~~.

28. (currently amended) The method of Claim 27 wherein step ~~[[c]]~~ d) further includes the step of dialing the specific telephone number automatically in response to a user interacting with the information stored on the ~~personal information device~~ handheld computer system.

29. (currently amended) The method of Claim 28 wherein the information stored in the ~~personal information device~~ handheld computer system includes contact information.

30. (currently amended) The method of claim 28 wherein the ~~information stored on the personal information device~~ list is presented as a list of contacts and the telephone number dialed by the telephone corresponds to one of the contacts selected by the user.

31. (currently amended) The method of Claim 28 wherein the information stored on the ~~personal information device~~ handheld computer system is maintained by a management program executing on the ~~personal information device~~ handheld computer system and the management program controls the telephone via the wireless communication.

32. (previously presented) The method of Claim 31 wherein the management program is an address book program.

33. (previously presented) The method of Claim 27 wherein the wireless communication is compatible with a version of the Bluetooth specification.

34. (previously presented) The method of Claim 27 wherein the wireless communication is compatible with a version of the IrDA specification.

REMARKS

Claims 19-34 remain pending in the case. Claims 19-34 stand rejected. Although Claims 19-23 and 27-31 have been amended herein, no new matter has been added in view of the claim amendments. Applicants respectfully request reconsideration in view of the remarks presented herein.

35 U.S.C. §103(a)

Claims 19-34 are rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,600,902 to Bell, hereinafter referred to as "Bell," in view of United States Patent No. 6,484,027 to Mauney, hereinafter referred to as "Mauney." Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 19-34 are patentable over Bell in view of Mauney based upon the following rationale.

Applicants respectfully direct the Examiner to independent Claim 19 as amended in this response (emphasis added):

An automated telephone dialing system, comprising:
a telephone having a wireless port for short range wireless data transfer; and
a handheld computer system having a wireless port for communication with the wireless port on the telephone, wherein a specific telephone number is selectable from a list displayed on the handheld computer system and wherein the handheld computer system is operable to transfer the specific telephone number to the telephone using a wireless communication, and wherein the handheld computer system is configured to control the telephone via the wireless communication such that the telephone dials the specific telephone number.

Independent Claim 27 recites similar limitations. Claims 20-26 that depend from independent Claim 19 and Claims 28-34 that depend on independent Claim 27 provide further recitations of the features of the present invention.

Claim 19 recites a system that comprises at least two devices: a telephone and a handheld computer system. The handheld computer system displays a list of phone numbers, from which the user may select one to dial. Claim 19 further recites that the handheld computer system is able to control the telephone, thus causing the telephone to dial the selected telephone number transferred to the telephone from the handheld computer system. Applicants respectfully assert that the neither Bell nor Mauney teach or suggest these limitations of Claim 19, alone or in combination, for the following rationale.

Applicants respectfully assert that Bell does not suggest, describe, or teach the limitation “wherein a specific telephone number is selectable from a list displayed on the handheld computer system” as recited in Claim 19 (emphasis added). Applicants understand Bell to teach a wireless system for transferring data objects, such as virtual business cards and calendars, from one wireless station to another (Abstract; col. 3, lines 30-33). Although a virtual business card or calendar may contain a phone number, the phone number is not selected from a list as recited in Claim 19. As such, Bell does not suggest, describe, or teach that a virtual business card or calendar is a list, or that a specific telephone number is chosen from any list, as claimed by Applicants.

Moreover, even assuming that a virtual business card or calendar is a list, Bell effectively teaches away from selecting a specific telephone number from the list, as claimed by Applicants, by teaching that the entire virtual business card or calendar is selected for transfer during a swap (Fig. 3; col. 3, lines 30-33). More specifically, Bell defines virtual business cards and calendars as data objects, and teaches that these data objects are selected in whole for transfer

(col. 5, lines 26-30; col. 6, lines 44-46). Therefore, by teaching selection of the entire virtual business card or calendar, Bell effectively teaches away from selection of a specific telephone number from a list as claimed by Applicants.

Applicants respectfully assert that Bell does not suggest, describe, or teach the limitation “wherein the handheld computer system is configured to control the telephone via the wireless communication such that the telephone dials the specific telephone number” as recited in Claim 19 (emphasis added). As discussed above, Applicants understand Bell to teach a wireless system for exchanging data, without mention of one wireless station controlling another (Abstract). However, the mere exchange of data as described in Bell is separate and distinct from the claim limitation of one wireless station controlling another. As shown in blocks 805 and 806 of Figure 8 in the present application, the phone number to be dialed is transferred before the receiving wireless telephone is controlled or instructed to dial the telephone number. Accordingly, Claim 19 recites the data exchange and control elements as separate limitations. In addition, not only is Bell silent as to one wireless station controlling another, but Bell also fails to more specifically suggest, describe, or teach one wireless station dialing a specific telephone number on another as claimed by Applicants.

Furthermore, Applicants respectfully assert that Bell teaches away from the configuration where one wireless station controls another. In accordance with Figure 3 of Bell, the recipient wireless station must enter a PIN-code in order for it to receive the data sent by the transmitting wireless station (col. 5, line 65 through col. 6, line 35). As such, Bell teaches that a transmitting wireless station may not unilaterally control a receiving wireless station to accept data, thereby completing the data exchange. Therefore, if a transmitting station may not force

the receipt of data, it cannot then control the receiving wireless station to process that data. Thus, Bell effectively teaches away from one wireless station controlling another, as claimed by Applicants.

Moreover, the combination of Bell and Mauney fails to teach or suggest the claimed embodiments because Mauney does not overcome the shortcomings of Bell. Mauney, alone or in combination with Bell, does not show or suggest the present invention as claimed.

Applicants respectfully assert that Mauney does not teach, describe, or suggest the limitation “wherein a specific telephone number is selectable from a list displayed on the handheld computer system” as recited in Claim 19 (emphasis added). Applicants understand Mauney to teach wireless handsets with a memorize feature that allows the handsets to exchange data via wireless transmission (Abstract). However, Mauney does not teach that this transferred data is a list, as claimed by Applicants. Therefore, Mauney does not suggest, describe, or teach that a specific phone number is selectable from a list displayed on a handheld computer system, as claimed by Applicants.

Moreover, even assuming that the transferred data is a list, Mauney effectively teaches away from selecting a specific telephone number from the list, as claimed by Applicants, by teaching that the data is transferred in whole (Fig. 6D). More specifically, in accordance with Figure 6D, Mauney teaches that the receiving handset performs all processing of the handset data after receipt (col. 21, lines 4-9). As such, the transmitting handset transfers the data in whole such that the receiving handset can thereafter process the data. Therefore, by teaching selection of the handset data in whole, Mauney effectively teaches

away from selection of a specific telephone number from a list as claimed by Applicants.

Applicants respectfully assert that Mauney does not teach, describe, or suggest the claimed limitation of “the handheld computer system is configured to control the telephone via the wireless communication such that the telephone dials the specific telephone number” (emphasis added). Applicants understand Mauney to teach wireless handsets with a memorize feature that allows the handsets to exchange data via wireless transmission, without mention of one handset controlling another (Abstract). However, the mere exchange of data as described in Mauney is distinguishable from one wireless handset controlling another as claimed by Applicants. As shown in blocks 805 and 806 of Figure 8 in the present application, the phone number to be dialed is transferred before the receiving wireless telephone is controlled or instructed to dial the telephone number. Accordingly, Claim 19 recites the data exchange and control elements as separate limitations. In addition, not only is Mauney silent as to one wireless handset controlling another, but Mauney also fails to more specifically show one wireless handset dialing a specific telephone number on another as claimed in the present application.

Furthermore, Applicants respectfully assert that Mauney teaches away from the configuration where one wireless handset controls another. Mauney teaches that the memorize feature can only be activated if the transmitting and receiving wireless handsets are first brought in close proximity to one another, and then a predetermined key is pressed on both handsets within a short time window (col. 16, lines 24-30). As such, Mauney teaches that the user of the receiving wireless handset must interact to complete the memorize feature,

which in effect teaches away from the ability of the transmitting handset to control the receiving handset.

For the reasons discussed herein, Applicants respectfully assert that the combination of Bell and Mauney does not suggest, describe, or teach the claimed embodiments of the present invention as recited in independent Claim 19. Therefore, independent Claim 19 overcomes the 35 U.S.C. §103(a) rejection of record, and thus, is in condition for allowance. Since independent Claim 27 recites limitations similar to independent Claim 19, independent Claim 27 also overcomes the 35 U.S.C. §103(a) rejection of record, and thus, is also in condition for allowance. Further, Applicants respectfully submit that the combination of Bell and Mauney does not suggest, describe, or teach the additional claimed features of the present invention as recited in Claims 20-26 that depend upon allowable base Claim 19, and Claims 28-34 that depend upon allowable base Claim 27. Therefore, Applicants respectfully submit that Claims 20-26 and 28-34 overcome the 35 U.S.C. §103(a) rejections of record as these claims depend upon allowable base claims.

CONCLUSION

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 19-34 overcome the rejections of record, and therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO L.L.P.

Dated: 2/14, 2006

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