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09/727,727	11/30/2000	E. Michael Lunsford	3COM-2910 .WHD.US . P	7522

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EXAMINER

MILORD, MARCEAU

ART UNIT PAPER NUMBER

2682

DATE MAILED: 10/09/2003

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

Office Action Summary

Application No. 09/727,727	Applicant(s) LUNSFORD ET AL.
Examiner Marceau Milord	Art Unit 2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 April 2001.
- 2a) This action is FINAL.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 19-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 19-34 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
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)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) Interview Summary (PTO-413) Paper No(s). _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. 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 19-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bell (US Patent No 6600902 B1) in view of Charlier et al (US Patent No 6577877 B1).

Regarding claim 19, Bell discloses an automated telephone dialing system (figs. 1-2), comprising: a telephone (3 of fig 2) having a wireless port for short range wireless data transfer (col. 3, lines 29- 51; col. 4, lines 24-57); and a personal information device (20, 21, 22 of fig. 2) (col. 3, line 47- col. 4, line 9; col. 4, lines 48-67), the personal information device configured to control the telephone via a wireless communication such that the telephone dials a telephone number stored on the personal information device (col. 5, lines 5-35; col. 6, lines 1-38).

However, Bell et al does not specifically disclose the feature of wireless port for communication with the wireless port a telephone.

On the other hand, Charlier et al, from the same field of endeavor, discloses a wireless infrared peripheral interface device for a communication device having a cellular radio transceiver including a peripheral interface. Furthermore, Charlier shows in figure 2, a processor 30 that is electrically coupled to interface 28, wherein the processor controls the interface circuit 28 to process data signals that are conveyed through the interface source 16 (col. 3, lines 17- 57).

In addition, the processor conveys RF data signals associated with the infrared data signals

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through the cellular radio transceiver, and to further provide simultaneous IR and RF communication to enhance interoperability (col. 5, lines 31- 67, “provide simultaneously IR and RF...”; col. 3, lines 17- 65; col. 4, lines 28- 66). It is advantageous to provide a cellular communication device that could accomplish communication activities with a variety of peripheral devices, and reduce the dependency of optical alignment between the infrared data ports of the peripheral device and communication device. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Charlier to the communication system of Bell in order to change one RF link to use two links as suggested by Charlier for the purpose of allowing a user to interact simultaneously with both devices.

Regarding claim 20, Bell discloses an automated telephone dialing system (figs. 1-2), wherein the dialing of the telephone number by the telephone is automatically effected in response to a user interacting with information stored on the personal information device (col. 3, lines 25-60; col. 4, line 45- col. 5, line 26).

Regarding claim 21, Bell discloses an automated telephone dialing system (figs. 1-2) wherein the information stored in the personal information device includes contact information(col. 3, lines 52-67; col. 5, lines 1-40; col. 6, lines 1-26).

Regarding claim 22, Bell discloses an automated telephone dialing system (figs. 1-2), wherein the information stored on the personal information device 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 (col. 3, lines 1-60; col. 6, lines 1-40).

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Regarding claim 23, Bell discloses an automated telephone dialing system (figs. 1-2), wherein the information stored on the personal information device is maintained by a management program executing on the personal information device and the management program controls the telephone via the wireless communication (col. 3, lines 38-60; col. 5, lines 10-57).

Regarding claim 24, Bell discloses an automated telephone dialing system (figs. 1-2), wherein the management program is an address book program (col. 3, lines 52-67; col. 5, lines 1-40; col. 6, lines 1-26).

Regarding claim 25, Bell discloses an automated telephone dialing system (figs. 1-2), wherein the wireless communication is compatible with a version of the Bluetooth specification (col. 4, lines 24-52; col. 6, lines 21-40).

Regarding claim 26, Bell discloses an automated telephone dialing system (figs. 1-2), wherein the wireless communication is compatible with a version of the IrDA specification (col. 4, lines 48-62; col. 6, lines 44-65).

Regarding claim 27, Bell discloses an automatic wireless telephone dialing method (figs. 1-3), comprising the steps of establishing (3 of figs. 1-2) a wireless communications link for a short range data transfer (20, 21, 22 of fig. 2; col. 3, line 47- col. 4, line 9; col. 4, lines 48-67); accessing (3 of fig. 2) a telephone number stored on the personal information device (col. 3, lines 29- 51; col. 4, lines 24-57); and controlling (3 of fig. 2) the telephone using the personal information device to cause the telephone to dial the telephone number stored on the personal information device (col. 5, lines 5-35; col. 6, lines 1-38).

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