



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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,727	11/30/2000	E. Michael Lunsford	3COM-2910 .WHD.US . P	7522

7590 11/26/2004
WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

MILORD, MARCEAU

ART UNIT PAPER NUMBER

2682

DATE MAILED: 11/26/2004

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 09 June 2004.
- 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4a) Of the above claim(s) _____ is/are withdrawn from consideration.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).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) 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.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> 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 Mauncy et al (US Patent No 6484027 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 a 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.

On the other hand, Mauncy et al, from the same field of endeavor, discloses in figure 3, two wireless handsets 42A, and 42B, that can communicate with one another without the use of a base station or MSC. Mauncy et al shows in figure 4, a wireless handset 42 that comprises a control system, a transceiver, an input/output port that may be provided for facilitating communication with various devices and for downloading or loading information into a memory (col. 13, lines 1-47; col. 14, lines 9-65). This wireless handset may also include a set of "List Maintenance features" that may be provided to permit a user to add and delete handsets or objects to one or more lists stored in the handsets, such as a speed dialing list for initiating calls, a find list for other handsets or objects, and/or privacy list for blocking find queries from specific handsets so that privacy may be maintained. The list maintenance features may also include a memorize feature which permits two handsets to update their respective master list, find list with the ID of the other handset. The short range messaging features may include features to permit short-range messages to be sent directly from one handset to another (col. 15, line 11- col. 16, line 56). Calls may be placed in a direct handset -to- handset communication mode by dialing the assigned directory or telephone number of the handset (col. 17, lines 14- 26); col. 29, line 51- col. 30, line 46). Furthermore, the information may be stored in the speed dial and find lists of the handset so that the user may initiate call requests and find requests with the stored with the stored information (col. 54, lines 10- 46). 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 Mauncy to the communication system of Bell in order to provide a wireless handset that includes a memorize feature, which permits a wireless handset to exchange information conveniently and securely with another handset or object by wireless transmission.

Art Unit: 2682

Regarding claim 20, Bell as modified 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 as modified 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 as modified 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).

Regarding claim 23, Bell as modified 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 as modified 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 as modified 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).

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.