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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/768,729	06/26/2007	Kenneth P. Weiss	W0537-7006	3536
	7590	12/18/2012	EXAMINER	
John N. Anastasi c/o Lowrie, Lando & Anastasi, LLP Riverfront Office Park, One Main Street Cambridge, MA 02142			DADA, BEEMNET W	
			ART UNIT	PAPER NUMBER
			2435	
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			12/18/2012	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.

APPLE 1117

## Office Action Summary

Application No.	11/768,729	Applicant(s)	WEISS, KENNETH P.
Examiner	BEE MNET DADA	Art Unit	2435

-- 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) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 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 06 September 2012.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  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.
- 4)  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

- 5)  Claim(s) 1,3-5,9-16,19-21,24-30,32-39 and 41-48 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 1,3-5,9-16,19-21,24-30,32-39 and 41-48 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, 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](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

### Application Papers

- 10)  The specification is objected to by the Examiner.
- 11)  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).

### 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)  Notice of References Cited (PTO-892)
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

### DETAILED ACTION

This office action is in reply to an amendment filed on September 06, 2012. Claims 1, 9, 16 and 41-46 have been amended and new claims 47 and 48 have been added. Claims 1, 3-5, 9-16, 19-21, 24-30, 32-39 and 41-48 are pending.

#### *Response to Arguments*

Applicant's arguments filed 09/06/2012 have been considered but are moot in view of new ground of rejection.

#### *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, 3-5, 9-16, 19-21, 24-30, 32-39 and 41-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gioradano et al. US 7,571,139 B1 (hereinafter Gioradano) in view Weiss US 5,657,388.

As per claims 1, 16, 47 and 48, Giorandano teaches a secure registry system for providing information to a service provider to enable the service provider to provide services to entities with secure data stored in the secure registry system, comprising:

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a database including secure data for each entity, wherein each entity is associated with and a multicharacter\_code for each entity having secure data in the secure registry system, respectively [column 18, lines 14-47] and

a processor configured to receive, from the first party, the multicharacter code for the entity on whose behalf of a transaction is to be performed, configured to map the multicharacter code to the identity of the entity and secure data associated with the entity including information required to enable the transaction, the information including account identifying information where the account identifying information is unknown to the first party, to provide the account identifying information to a third party to enable a transaction without providing the account identifying information to the first party (i.e., note that the POS system does not get access to customers credit/debit account information, column 18, lines 5-47). Giorandano does not explicitly teach a time-varying code. In the same field of endeavor, Weiss teaches a time varying multi character code, mapping the time-varying multi character code to the identity of an entity in a database using only the time-varying multi character code (i.e., one time non predictable code). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Weiss within the system of Gioradano in order to enhance the security of the system.

As per claims 3 and 19, Gioradano further teaches the system wherein the multicharacter code is provided to the system via a secure electronic transmission device [column 18, lines 14-47].

As per claim 4 and 20, Gioradano further teaches the system wherein the code is encrypted and transmitted to the system and wherein the system is configured to decrypt the code with a public key of the entity [column 18, lines 14-47].

As per claims 5 and 21, Gioradano further teaches the system wherein said service provider's service includes delivery, wherein the information is an address to which an item is to be delivered to the entity, wherein the system receives the code and wherein the system uses the code to obtain the appropriate address for delivery of the item by the third party [column 18, lines 14-47].

As per claim 9-15, 41-45, 24-27, 30, 32 and 41-45 Gioradano further teaches the system wherein the account identifying information includes credit card information regarding the entity and the processor is configured to provide the credit card information based upon the code of the entity to enable the transaction [column 18, lines 14-47].

As per claims 28-29 and 33-39, Gioradano further teaches the system wherein the database is further configured to associate biometric information with each entity having secure data in the secure registry respectively [column 18, lines 14-47].

As per claim 46, Giordano further teaches the system wherein the identity of the entity is unknown until the code is mapped to the identity by the processor [column 18, lines 5-47].

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