

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(B))

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

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

(1) Scott McNulty
22 Ensign Road
Rowayton, CT 06853

(2)

Additional inventors are listed on a separate sheet

For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

Enclosed Are:

Application
66 page(s) of specification
2 page(s) of Abstract
8 page(s) of claims
10 sheets of Formal Informal drawings

Declaration and Power of Attorney
 Unsigned
 Newly Executed
 Copy from prior application
 Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)
As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

Incorporation by Reference:
 The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

- Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))
Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.
- Microfiche Computer Program (Appendix)
- page(s) of Sequence Listing
 - computer readable disk containing Sequence Listing
 - Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same
- Assignment Papers (assignment cover sheet and assignment documents)
- A check in the amount of \$40.00 for recording the Assignment
 - Charge the Assignment Recordation Fee to Deposit Account No. 504827, Order No. _____.
 - Assignment Papers filed in the parent application Serial No. _____
- Certification of chain of title pursuant to 37 C.F.R. §3.73(b)
- Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____, filed _____, in _____ (country).
- Certified Copy of Priority Document(s) [_____]
 filed herewith
 filed in application Serial No. _____, filed _____.
 - English translation document(s) [_____]
 filed herewith
 filed in application Serial No. _____, filed _____.
- Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.
- Information Disclosure Statement
- Copy of [_____] cited references
 - PTO Form-1449
 - References cited in parent application Serial No. _____, filed _____.
- Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
 - A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
 - A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.
- Preliminary Amendment
- Return receipt postcard (MPEP 503)

- This is a continuation divisional continuation-in-part of prior application serial no. 10/807,731, filed March 23, 2004, to which priority under 35 U.S.C. §120 is claimed.
 - Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
 - A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

- The status of the parent application is as follows:
 - A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
 - A copy of the Petition for Extension of Time in the co-pending parent application is attached.
 - No Petition for Extension of Time and Fee are necessary in the co-pending parent application.

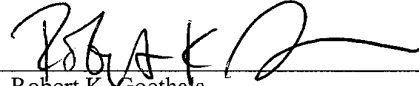
- Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- Transfer the drawing(s) from the parent application to this application
- Amend the specification by inserting before the first line the sentence:
This is continuation divisional continuation-in-part of co-pending application Serial No. 10/807,731, filed March 23, 2004.

I. CALCULATION OF APPLICATION FEE				
Basic Fee (\$330/\$165)				
Electronic Filing Only: Basic Fee for Small Entity (\$82)				\$ 82.00
Examination Fee (\$220/\$110)				\$ 110.00
Search Fee (\$540/\$270)				\$ 270.00
	Number Filed	Number Extra	Rate	
Total Claims	37 - 20 =	17 x	(\$52/\$26)	\$ 442.00
Independent Claims	5 - 3 =	2 x	(\$220/\$110)	\$ 220.00
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$390/\$195		\$ 0
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee	
76- 100 =	/ 50 =	(round up to the whole number)	(\$270/\$135)	\$ 0
TOTAL:				\$ 1,124.00

- Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$1,124.00.
- Charge fee to Deposit Account No. 504827, Order No. 1004294.012US.

- The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP



Robert K. Goethals
Registration No. 36,813

Dated: November 19, 2010

Correspondence Address:

Address Associated With Customer Number:
85775

(212) 415-8600 Telephone
(212) 303-2754 Facsimile



COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Apparatus, Method and System For A Tunneling Client Access Point

the specification of which

- a. is attached hereto
- b. was filed on March 23, 2004 as application Serial No. 10/807,731 and was amended on . (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. was described and claimed in International Application No. filed on and as amended on . (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO:

- Bar Code label attached (see right)
- Address Shown (see below)

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, N.Y. 10154

27123
↑CUSTOMER NUMBER↑

DIRECT TELEPHONE CALLS TO:

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

Country/PCT	Application Number	Date of filing (day, month, yr)	Date of issue (day, month, yr)	Priority Claimed
				<input type="checkbox"/> Y <input type="checkbox"/> N
				<input type="checkbox"/> Y <input type="checkbox"/> N
				<input type="checkbox"/> Y <input type="checkbox"/> N

I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No. Date of filing (day, month, yr)

**ADDITIONAL STATEMENTS FOR DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART
OR PCT APPLICATION(S) DESIGNATING THE U.S.**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
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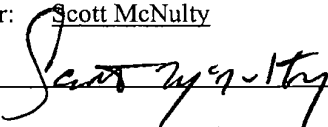
US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
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In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Mark J. Abate (Reg. No. 32,527), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. 43,979), Walter G. Hanchuk (Reg. No. 35,179), John W. Osborne (Reg. No. 36,231), Robert K. Goethals (Reg. No. 36,813), Peter N. Fill (Reg. No. 38,876), Kenneth S. Weitzman (Reg. No. 36,306), Richard Straussman (Reg. No. 39,847), Stephen J. Manetta (Reg. No. 40,426), Dorothy R. Auth (Reg. No. 36,434) and Michael O. Cummings, (Reg. No. 40,575) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727), and John E. Hoel (Reg. No. 26,279), of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents named hereinabove.

Full name of sole or first inventor:	<u>Scott McNulty</u>	
Inventor's signature*		<u>7-16-04</u> Date
Residence:	<u>22 Ensign Road, Rowayton, CT 06853</u>	
Citizenship:	<u>USA</u>	
Post Office Address:	<u>Same as above</u>	
Full name of second inventor:	_____	
Inventor's signature*	_____	_____ Date
Residence:	_____	
Citizenship:	_____	
Post Office Address:	_____	

ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.



*Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, §1.56

Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability. A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.
- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the National or PCT international filing date of the continuation-in-part application.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

- (e) The invention was described in--
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) (1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or (2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection, there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

Title 35, U.S. Code § 103

103. Conditions for patentability; non-obvious subject matter

- (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.
- (b) (1) Notwithstanding subsection (a), and upon timely election by the applicant for patent to proceed under this subsection, a biotechnological process using or resulting in a composition of matter that is novel under section 102 and nonobvious under subsection (a) of this section shall be considered nonobvious if—
 - (A) claims to the process and the composition of matter are contained in either the same application for patent or in separate applications having the same effective filing date; and
 - (B) the composition of matter, and the process at the time it was invented, were owned by the same person or subject to an obligation of assignment to the same person.
- (2) A patent issued on a process under paragraph (1)—
 - (A) shall also contain the claims to the composition of matter used in or made by that process, or
 - (B) shall, if such composition of matter is claimed in another patent, be set to expire on the same date as such other patent, notwithstanding section 154.
- (3) For purposes of paragraph (1), the term "biotechnological process" means--

- (A) a process of genetically altering or otherwise inducing a single- or multi-celled organism to--
 - (i) express an exogenous nucleotide sequence,
 - (ii) inhibit, eliminate, augment, or alter expression of an endogenous nucleotide sequence, or
 - (iii) express a specific physiological characteristic not naturally associated with said organism;
 - (B) cell fusion procedures yielding a cell line that expresses a specific protein, such as a monoclonal antibody; and
 - (C) a method of using a product produced by a process defined by subparagraph (A) or (B), or a combination of subparagraphs (A) and (B).
- (c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code, § 119

Benefit of earlier filing date in foreign country; right of priority

- (a) An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, or in a WTO member country, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.
- (b) (1) No application for patent shall be entitled to this right of priority unless a claim is filed in the Patent and Trademark Office, identifying the foreign application by specifying the application number on that foreign application, the intellectual property authority or country in or for which the application was filed, and the date of filing the application, at such time during the pendency of the application as required by the Director.
 - (2) The Director may consider the failure of the applicant to file a timely claim for priority as a waiver of any such claim. The Director may establish procedures, including the payment of a surcharge, to accept an unintentionally delayed claim under this section.

- (3) The Director may require a certified copy of the original foreign application, specification, and drawings upon which it is based, a translation if not in the English language, and such other information as the Director considers necessary. Any such certification shall be made by the foreign intellectual property authority in which the foreign application was filed and show the date of the application and of the filing of the specification and other papers.
- (c) In like manner and subject to the same conditions and requirements, the right provided in this section may be based upon a subsequent regularly filed application in the same foreign country instead of the first filed foreign application, provided that any foreign application filed prior to such subsequent application has been withdrawn, abandoned, or otherwise disposed of, without having been laid open to public inspection and without leaving any rights outstanding, and has not served, nor thereafter shall serve, as a basis for claiming a right of priority.
- (d) Applications for inventors' certificates filed in a foreign country in which applicants have a right to apply, at their discretion, either for a patent or for an inventor's certificate shall be treated in this country in the same manner and have the same effect for purpose of the right of priority under this section as applications for patents, subject to the same conditions and requirements of this section as apply to applications for patents, provided such applicants are entitled to the benefits of the Stockholm Revision of the Paris Convention at the time of such filing.
- (e) (1) An application for patent filed under section 111(a) or section 363 of this title for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in a provisional application filed under section 111(b) of this title, by an inventor or inventors named in the provisional application, shall have the same effect, as to such invention, as though filed on the date of the provisional application filed under section 111(b) of this title, if the application for patent filed under section 111(a) or section 363 of this title is filed not later than 12 months after the date on which the provisional application was filed and if it contains or is amended to contain a specific reference to the provisional application. No application shall be entitled to the benefit of an earlier filed provisional application under this subsection unless an amendment containing the specific reference to the earlier filed provisional application is submitted at such time during the pendency of the application as required by the Director. The Director may consider the failure to submit such an amendment within that time period as a waiver of any benefit under this subsection. The Director may establish procedures, including the payment of a surcharge, to accept an unintentionally delayed submission of an amendment under this subsection during the pendency of the application.
- (2) A provisional application filed under section 111(b) of this title may not be relied upon in any proceeding in the Patent and Trademark Office unless the fee set forth in subparagraph (A) or (C) of section 41(a)(1) of this title has been paid.
- (3) If the day that is 12 months after the filing date of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, the period of pendency of the provisional application shall be extended to the next succeeding secular or business day.
- (f) Applications for plant breeder's rights filed in a WTO member country (or in a foreign UPOV Contracting Party) shall have the same effect for the purpose of the right of priority under subsections (a) through (c) of this section as applications for patents, subject to the same conditions and requirements of this section as apply to applications for patents.
- (g) As used in this section--
- (1) the term "WTO member country" has the same meaning as the term is defined in section 104(b)(2) of this title; and
- (2) the term "UPOV Contracting Party" means a member of the International Convention for the Protection of New Varieties of Plants.

Title 35, U.S. Code, § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application. ***No application shall be entitled to the benefit of an earlier filed application under this section unless an amendment containing the specific reference to the earlier filed application is submitted at such time during the pendency of the application as required by the Director. The Director may consider the failure to submit such an amendment within that time period as a waiver of any benefit under this section. The Director may establish procedures, including the payment of a surcharge, to accept an unintentionally delayed submission of an amendment under this section.***

Please read carefully before signing the Declaration attached to the accompanying Application. If you have any questions, please contact Morgan & Finnegan, L.L.P.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
OR
REVOCATION OF POWER OF ATTORNEY
WITH A NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/807,731
Filing Date	March 23, 2004
First Named Inventor	Scott McNulty
Title	Apparatus ... Tunneling Client Access Point
Art Unit	2443
Examiner Name	Bilgrami, Asghar H.
Attorney Docket Number	1004294.001US

I hereby revoke all previous powers of attorney given in the above-identified application.

 A Power of Attorney is submitted herewith.

OR

 I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

85775

OR

 I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

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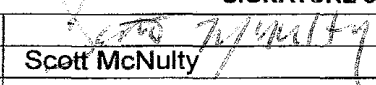
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT APPLICATION

FOR:

APPARATUS, METHOD AND SYSTEM FOR A
TUNNELING CLIENT ACCESS POINT

INVENTOR:

SCOTT MCNULTY

NY:1004294/00000:634830v1

**APPARATUS, METHOD AND SYSTEM FOR A
TUNNELING CLIENT ACCESS POINT**

FIELD

The present invention is directed generally to an apparatus, method, and system of
5 accessing data, and more particularly, to an apparatus, method and system to execute and
process data by tunneling access through a terminal.

BACKGROUND

Portable Computing and Storage

10 Computing devices have been becoming smaller over time. Currently, some of the
smallest computing devices are in the form of personal digital assistants (PDAs). Such
devices usually come with a touch screen, an input stylus and/or mini keyboard, and battery
source. These devices, typically, have storage capacities around 64MB. Examples of these
devices include Palm's Palm Pilot.

15 Information Technology Systems

Typically, users, which may be people and/or other systems, engage information
technology systems (e.g., commonly computers) to facilitate information processing. In turn,
computers employ processors to process information; such processors are often referred to as
20 central processing units (CPU). A common form of processor is referred to as a
microprocessor. A computer operating system, which, typically, is software executed by
CPU on a computer, enables and facilitates users to access and operate computer information
technology and resources. Common resources employed in information technology systems

include: input and output mechanisms through which data may pass into and out of a computer; memory storage into which data may be saved; and processors by which information may be processed. Often information technology systems are used to collect data for later retrieval, analysis, and manipulation, commonly, which is facilitated through database software. Information technology systems provide interfaces that allow users to access and operate various system components.

User Interface

The function of computer interfaces in some respects is similar to automobile operation interfaces. Automobile operation interface elements such as steering wheels, gearshifts, and speedometers facilitate the access, operation, and display of automobile resources, functionality, and status. Computer interaction interface elements such as check boxes, cursors, menus, scrollers, and windows (collectively and commonly referred to as widgets) similarly facilitate the access, operation, and display of data and computer hardware and operating system resources, functionality, and status. Operation interfaces are commonly called user interfaces. Graphical user interfaces (GUIs) such as the Apple Macintosh Operating System's Aqua, Microsoft's Windows XP, or Unix's X-Windows provide a baseline and means of accessing and displaying information, graphically, to users.

Networks

Networks are commonly thought to comprise of the interconnection and interoperation of clients, servers, and intermediary nodes in a graph topology. It should be noted that the term "server" as used herein refers generally to a computer, other device,

software, or combination thereof that processes and responds to the requests of remote users across a communications network. Servers serve their information to requesting "clients."

The term "client" as used herein refers generally to a computer, other device, software, or combination thereof that is capable of processing and making requests and obtaining and

5 processing any responses from servers across a communications network. A computer, other

device, software, or combination thereof that facilitates, processes information and requests,

and/or furthers the passage of information from a source user to a destination user is

commonly referred to as a "node." Networks are generally thought to facilitate the transfer of

information from source points to destinations. A node specifically tasked with furthering the

10 passage of information from a source to a destination is commonly called a "router." There

are many forms of networks such as Local Area Networks (LANs), Pico networks, Wide

Area Networks (WANs), Wireless Networks (WLANs), etc. For example, the Internet is

generally accepted as being an interconnection of a multitude of networks whereby remote

clients and servers may access and interoperate with one another.

15

SUMMARY

Although all of the aforementioned portable computing systems exist, no effective

solution to securely access, execute, and process data is available in an extremely compact

form. Currently, PDAs, which are considered among the smallest portable computing

solution, are bulky, provide uncomfortably small user interfaces, and require too much power

20 to maintain their data. Current PDA designs are complicated and cost a lot because they

require great processing resources to provide custom user interfaces and operating systems.

Further, current PDAs are generally limited in the amount of data they can store or access. No solution exists that allows users to employ traditional large user interfaces they are already comfortable with, provides greater portability, provides greater memory footprints, draws less power, and provides security for data on the device. As such, the disclosed tunneling client access point (TCAP) is very easy to use; at most it requires the user to simply plug the device into any existing and available desktop or laptop computer, through which, the TCAP can make use of a traditional user interface and input/output (I/O) peripherals, while the TCAP itself, otherwise, provides storage, execution, and/or processing resources. Thus, the TCAP requires no power source to maintain its data and allows for a highly portable “thumb” footprint. Also, by providing the equivalent of a plug-n-play virtual private network (VPN), the TCAP provides certain kinds of accessing of remote data in an easy and secure manner that was unavailable in the prior art.

In accordance with certain aspects of the disclosure, the above-identified problems of limited computing devices are overcome and a technical advance is achieved in the art of portable computing and data access. An exemplary tunneling client access point (TCAP) includes a method to dispose a portable storage device in communication with a terminal. The method includes providing the memory for access on the terminal, executing processing instructions from the memory on the terminal to access the terminal, communicating through a conduit, and processing the processing instructions.

In accordance with another embodiment, a portable tunneling storage processor is disclosed. The apparatus has a memory and a processor disposed in communication with the

memory, and configured to issue a plurality of processing instructions stored in the memory. Also, the apparatus has a conduit for external communications disposed in communication with the processor, configured to issue a plurality of communication instructions as provided by the processor, configured to issue the communication instructions as signals to engage in
5 communications with other devices having compatible conduits, and configured to receive signals issued from the compatible conduits.

BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying drawings illustrate various non-limiting, example, inventive aspects in accordance with the present disclosure:

10 FIGURE 1 is of a flow diagram illustrating embodiments of a tunneling client access point (TCAP);

 FIGURE 2 is of a flow diagram illustrating embodiments of a system of tunneling client access point and access terminal interaction;

15 FIGURE 3 is of a flow diagram illustrating embodiments of engaging the tunneling client access point to an access terminal interaction;

 FIGURE 4 is of a flow diagram illustrating embodiments of accessing the tunneling client access point and server through an access terminal;

20 FIGURES 5-8 is of a flow diagram illustrating embodiments of facilities, programs, and/or services that the tunneling client access point and server may provide to the user as accessed through an access terminal;

FIGURE 9 is of a block diagram illustrating embodiments of a tunneling client access point server controller;

FIGURE 10 is of a block diagram illustrating embodiments of a tunneling client access point controller;

5 The leading number of each reference number within the drawings indicates the first figure in which that reference number is introduced. As such, reference number 101 is first introduced in Figure 1. Reference number 201 is first introduced in Figure 2, etc.

DETAILED DESCRIPTION

Topology

Figure 1 illustrates embodiments for a topology between a tunneling client access
5 point (TCAP) (see Figure 10 for more details on the TCAP) and TCAP server (TCAPS) (see
Figure 9 for more details on the TCAPS). In this embodiment, a user 133a may plug-in a
TCAP into any number of access terminals 127 located anywhere. Access terminals (ATs)
may be any number of computing devices such as servers, workstations, desktop computers,
laptops, portable digital assistants (PDAs), and/or the like. The type of AT used is not
10 important other than the device should provide a compatible mechanism of engagement to
the TCAP 130 and provide an operating environment for the user to engage the TCAP
through the AT. In one embodiment, the TCAP provides a universal serial bus (USB)
connector through which it may plug into an AT. In other embodiment, the TCAP may
employ Bluetooth, WiFi and/or other wireless connectivity protocols to connect with ATs
15 that are also so equipped. In one embodiment, the AT provides Java and/or Windows runtime
environments, which allows the TCAP to interact with the input/output mechanisms of the
AT. See Figure 9 for more details and embodiments on the types of connections that may be
employed by the TCAP. Once the TCAP has engaged with an AT, it can provide the user
with access to its storage and processing facilities.

20 If the AT is connected to a communication network 113, the TCAP may then
communicate beyond the AT. In one embodiment, the TCAP can provide extended storage
and/or processing resources by engaging servers 110, 115, 120, which have access to and can

provide extended storage 105 to the TCAP through the AT. In one embodiment, a single server and storage device may provide such TCAP server support. In another embodiment, server support is provided over a communications network, e.g., the Internet, by an array of front-end load-balancing servers 120. These servers can provide access to storage facilities
5 within the servers or to remote storage 105 across a communications network 113b, c (e.g., a local area network (LAN)). In such an embodiment, a backend server 110 may offload the front-end server with regard to data access to provide greater throughput. For purposes of load balancing and/or redundancy, a backup server 115 may be similarly situated to provide for access and backup in an efficient manner. In such an embodiment, the back-end servers
10 may be connected to the front-end servers through a communications network 113b (e.g., wide area network (WAN)). The backend servers 110, 115 may be connected to the remote storage 105 through a communications network 113c as well (e.g., a high speed LAN, fiber-channel, and/or the like).

Thus, to the user 133a, the contents of the TCAP 130 appear on the AT as being
15 contained on the TCAP 125 even though much of the contents may actually reside on the servers 115, 120 and/or the servers' storage facilities 105. In these ways, the TCAP "tunnels" data through an AT. The data may be provided through the AT's I/O for the user to observe without it actually residing on the AT. Also, the TCAP may tunnel data through an AT across a communications network to access remote servers without requiring its own more
20 complicated set of peripherals and I/O.

TCAP and AT Interaction

Figure 2 illustrates embodiments for a system of tunneling client access point (TCAP) (see Figure 10 for more details on the TCAP) and access terminal interaction. Figure 2 provides an overview for TCAP and AT interaction and subsequent figures will provide greater detail on elements of the interaction. In this embodiment, a user engages the TCAP 201. For example, the user may plug the TCAP into an AT via the AT's USB port. Thereafter the user is presented with a login prompt 205 on the AT's display mechanism, e.g., on a video monitor. After a user successfully logs in (for example by providing a user name and password) 204, the TCAP can then accept user inputs from the AT and its peripherals (the TCAP can then also provide output to the user via the AT's peripherals).

The user may employ the AT's input peripherals as user input devices that control actions on the TCAP. Depending on the user's actions 215, the TCAP can be used by the AT as a storage device from which it can access and store data and programs 225. For example, if the user takes the action of opening a file from the TCAP's memory, e.g., by double clicking on an icon when the TCAP is mounted as a USB drive on the AT, then the AT may treat the TCAP as a memory device and retrieve information from the TCAP 225. If the user's action 215 is one that is directed at executing on the TCAP 215, then the AT will not be involved in any execution. For example, if the user drops an icon representing a graphics file onto a drag-and-drop location visually representing the TCAP, then the file may be copied to the TCAP where it will process and spool the file for sending the graphics file to be printed at a remote location. In such a case, all of the requirements to process and spool the

file are handled by the TCAP's processor and the AT would only be used as a mechanism for user input and output and as a conduit through which the TCAP may send files.

Regardless of if there is an action 215 to execute on the TCAP 220 or to access or store data on the TCAP 225, the AT is used to display the status of any actions 230. At any
5 time the user may select to terminate TCAP related facilities executing either on the AT, a backend server, on the TCAP itself, and/or the like 235. In one embodiment, the user may select a quit option that is displayed on the AT's screen. In another embodiment, the user may simply disengage the TCAP from the AT by severing the connection (e.g., turning power off, physically pulling the device off the AT, turning off wireless transmissions, and/or
10 the like). It should be noted that such abrupt severing may result in the loss of data, file corruption, etc. if the TCAP has not saved data that is on the AT or on some remote server, however, if the TCAP is employing flash like memory, its contents should remain intact.

If there is no instruction signal to terminate the TCAP 235, execution will continue and the TCAP will continue to take and look for input from the user. Of course if the TCAP
15 has been set to perform certain actions, those actions will continue to execute, and the TCAP may respond to remote servers when it is communicating with them through the AT. When the user issues a terminate signal 235, then the TCAP will shut down by saving any data to the TCAP that is in the AT's memory and then terminating any programs executing on both the AT and TCAP that were executed by and/or from the TCAP 240. If no activities are
20 taking place on the TCAP and all the data is written back to the TCAP 240, then the TCAP may optionally unmount itself from the AT's file-system 245. At this point, if there is a

TCAP I/O driver executing on the AT, that driver may be terminated as triggered by the absence of the TCAP at a mount point 250. After the TCAP is unmounted and/or the TCAP I/O driver is terminated, it is safe to disengage the TCAP from the AT.

TCAP and AT Interaction

5 Figure 3 illustrates embodiments engaging the tunneling client access point to an access terminal interaction. Examples of engaging the TCAP 301 with an AT were discussed above in Figure 1 127, 130, 133a and Figure 2 201. In one embodiment, the TCAP 130 is engaged with an access terminal 327, 305. As mentioned in Figure 1, the TCAP is capable of engaging with ATs using a number of mechanisms. In one embodiment, the TCAP has a
10 USB connector for plugging into an AT, which acts as a conduit for power and data transfer. In another embodiment, the TCAP may use Bluetooth to establish a wireless connection with a number of ATs. In another embodiment, the TCAP may employ WiFi. In yet another embodiment, the TCAP may employ multiple communications mechanisms. It should be noted, with some wireless mechanisms like Bluetooth and WiFi, simply coming into
15 proximity with an AT that is configured for such wireless communication may result in the TCAP engaging with and establish a communications link with the AT. In one embodiment, the TCAP has a “connect” button that will allow such otherwise automatically engaging interactions take place only if the “connect” button is engaged by a user. Such an implementation may provide greater security for users (see Figure 10 for more details on the
20 TCAP).

After being engaged 305, the TCAP will then power on. In an embodiment requiring a direct connection, e.g., USB, simply plugging the TCAP into the AT provides power. In a wireless embodiment, the TCAP may be on in a lower powered state or otherwise turned on by engaging the connect button as discussed above. In such an embodiment, the TCAP can employ various on-board power sources (see Figure 10 for more details on the TCAP). The TCAP then may load its own operating system 315. The operating system can provide for interaction with the AT. In one embodiment, a Java runtime is executed on the TCAP, and Java applets communicate with the AT through Java APIs. In another embodiment, a driver is loaded onto the AT, and the on-TCAP Java operating system applets communicate to and through the AT via the driver running on the AT, wherein the driver provides an API through and to which messages may be sent.

After engaging with the AT, the TCAP can provide its memory space to the AT 320. In one embodiment, the TCAP's memory is mapped and mounted as a virtual disk drive 125 storage 325. In this manner, the TCAP may be accessed and manipulated as a standard storage device through the AT's operating system. Further, the TCAP and in some cases the AT can determine if the AT is capable of accessing program instructions stored in the TCAP's memory 330. In one embodiment, the AT's operating system looks to auto-run a specified file from any drive as it mounts. In such an embodiment, the TCAP's primary interface may be specified in such a boot sequence. For example, under windows, an autorun.inf file can specify the opening of a program from the TCAP by the AT; e.g., OPEN=TCAP.EXE.

Many operating systems are capable of at least accessing the TCAP as a USB memory drive 330 and mounting its contents as a drive, which usually becomes accessible in file browsing window 125. If the TCAP does not mount, the AT's operating system will usually generate an error informing the user of a mounting problem. If the AT is not capable

5 of executing instruction from the TCAP, a determination is made if an appropriate driver is loaded on the AT to access the TCAP 335. In one embodiment, the TCAP can check to see if an API is running on the AT. For example, the TCAP provide an executable to be launched, e.g., as specified through autorun.inf, and can establish communications through its connection to the AT, e.g., employing TCP/IP communications over the USB port. In such an

10 embodiment, the TCAP can ping the AT for the program, and if an acknowledgement is received, the TCAP has determined that proper drivers and APIs exist. If no such API exists, the TCAP may launch a driver installation program for the AT as through an autorun.inf. In an alternative embodiment, if nothing happens, a user may double click onto an installer program that is stored on the mounted TCAP 342, 340. It should be noted, that although the

15 TCAP's memory space may be mounted, certain areas of the TCAP may be inaccessible until there is an authorization. For example, certain areas and content on the TCAP may be encrypted. It should be noted that any such access terminal modules that drive AT and TCAP interaction may be saved onto the TCAP by copying the module to a mounted TCAP. Nevertheless, if the AT is capable of accessing program instructions in TCAP memory 330, a

20 TCAP driver is loaded on the AT 335, and/or the user engages a program in the TCAP memory 340, then the AT can execute program instructions from the TCAP's memory, which allows the TCAP to use the AT's I/O and allowing the user to interface with TCAP

facilities 345. It should be noted that some ATs may not be able to mount the TCAP at all. In such an instance, the user may have to install the TCAP drivers by downloading them from a server on the Internet, loading them from a diskette or CD, and/or the like. Once the TCAP is engaged to the AT 301, execution may continue 398.

5 TCAP and AT Interaction

Figure 4 illustrates embodiments accessing the tunneling client access point and server through an access terminal. Upon engaging the TCAP to the AT as described in Figure 3 301, 398, the user may then go on to access the TCAP and its services 498. It should be noted that users may access certain unprotected areas of the TCAP once it has been mounted,
10 as described in Figure 3. However, to more fully access the TCAP's facilities, the user may be prompted to either login and/or registration window 205a to access the TCAP and its services, which may be displayed on the AT 405. It is important to note that in one embodiment, the execution of the login and/or registration routines are handled by the TCAP's processor. In such an embodiment, the TCAP may run a small Web server providing
15 login facilities, and connect to other Web based services through the AT's connection to the Internet. Further, the TCAP may employ a basic Web browsing core engine by which it may connect to Web services through the AT's connection to a communications network like the Internet. For purposes of security, in one embodiment, the TCAP may connect to a remote server by employing a secure connection, e.g., HTTPS, VPN, and/or the like.

20 Upon displaying a login window 405, e.g., 205a, the user may select to register to access the TCAP and its services, or they may simply log in by providing security

verification. In one example, security authorization may be granted by simply providing a user and password as provided through a registration process. In another embodiment, authorization may be granted through biometric data. For example, the TCAP may integrate a fingerprint and/or heat sensor IC into its housing. Employing such a device, and simply by providing one's finger print by laying your finger to the TCAP's surface, would provide the login facility with authorization if the user's finger print matches one that was stored during the registration process.

If the user does not attempt to login 415, i.e., if the user wishes to register to use the TCAP and its services, then the TCAP can determine if the AT is online 420. This may be accomplished in a number of ways. In one embodiment, the TCAP itself may simply ping a given server and if acknowledgement of receipt is received, the TCAP is online. In another embodiment, the TCAP can query for online status by engaging the AT through the installed APIs. If the AT is not online, then the user may be presented with an error message 425. Thus, if a user does not have a login, and does not have the ability to register, then restricted areas of the TCAP will remain unavailable. Thereafter, flow can continue 498 and the user may have another opportunity to login and/or register. In one embodiment as a login integrity check, the TCAP keeps track of the number of failed attempts to login and/or register and may lock-out all further access if a specified number of failed attempts occurs. In one embodiment, the lockdown may be permanent by erasing all data on the TCAP. In another embodiment, the TCAP will disallow further attempts for a specified period of time.

If the user is attempting to register 415, and the AT is online 420, then the user may provide registration information 440 into a screen form 440a. Registration information fields may require a user's name, address, email address, credit card information, biometric information (e.g., requiring the user to touch a biometric fingerprint IC on the TCAP), and/or the like. The TCAP may determine if all the information was provided as required for registration and may query backend servers to determine if the user information is unique 445. If the user did not properly fill out the registration information or if another user is already registered, the TCAP can provide an error message to such effect. Also, both the TCAP and its back-end servers may make log entries tracking such failed attempts for purposes of defending against fraud and/or security breaches. The user may then modify the registration information 440 and again attempt to register. Similarly to the login integrity checks, the TCAP can lockout registration attempts if the user fails to register more than some specified number of times.

Upon providing proper registration information 445 or proper login authentication 415, the TCAP can query backend servers to see if the user is registered. In one embodiment, such verification may be achieved by sending a query to the servers to check its database for the authorization information and/or for duplicate registrations. The servers would then respond providing an acknowledgment of proper registration and authorization to access data on the backend servers. If the users are not registered on the backend servers 430, then the TCAP can provide an error message to the user for display on the AT to such effect 435. In an alternative embodiment, the registration information may be stored on the TCAP itself. In one embodiment, the registration would be maintained in encrypted form. Thus, the user's

login information may be checked relative to the information the TCAP itself, and if there is a match, access may be granted, otherwise an error message will be displayed 435. The TCAP may then continue 498 to operate as if it were just engaged to the AT.

5 If the user is confirmed to be registered 430, then the TCAP may provide options for display 453, 453a. Depending on the context and purpose of a particular TCAP, the options may vary. For example, the a screen 453a may provide the user with the options to access data either online or offline. The user might simply click on a button and gain secure access to such data that may be decrypted by the TCAP. In one embodiment, the TCAP will determine if the AT is online 455. If this was already determined 420, this check 455 may be
10 skipped.

If the AT is online 455, optionally, the TCAP determines if the user wishes to synchronize the contents of the TCAP with storage facilities at the backend server 470. In one embodiment, the user may designate that such synchronization is to always take place. If synchronization is specified 470, then the TCAP will provide and receive updated data to and
15 from the backend servers, overwriting older data with updated versions of the data 475. If the AT is online 455 and/or after any synchronization 475, the TCAP may provide the user with all of its service options as authorized by the account and programs available on the TCAP and at the backend server 480. Once again, these facilities, programs, and/or services may vary greatly depending on the context and deployment requirements of the user. The options
20 to be presented to the user from the TCAP or the TCAP services from the backend server, as displayed through the TCAP onto the AT's display 480, are myriad and some example

embodiments are provided in Figures 5-8. Upon presenting the user with the options, the user is then able to access, execute, store data and programs on the TCAP and on the remote server 485. All areas of the TCAP and services are then open, including any encrypted data areas.

5 If the AT is not online 455, the TCAP may provide options for the user not including online services 460. In one embodiment, the online options that may be presented on the AT display will be dimmed and/or omitted to reflect the lack of accessibility. However, the user will be able to access, execute, store data and programs on the TCAP, including any encrypted data areas 465.

10 TCAP Facilities and Services

 Figures 5-8 illustrate embodiments of facilities, programs, and/or services that the tunneling client access point and server may provide to the user as accessed through an AT. Any particular set of facilities may have a myriad of options. The options and the general nature of the facilities provided on any particular TCAP are dependant upon the requirements
15 of a given set of users. For example, certain groups and/or agencies may require TCAPS to be targeted towards consumer photographs, and may employ TCAPs to further that end. Other groups may require high security facilities, and tailor the TCAPs accordingly. In various environments, an organization may wish to provide a secure infrastructure to all of its agents for securely accessing the organization's data from anywhere and such an
20 organization could tailor the TCAPs contents to reflect and respond to its needs. By

providing a generalized infrastructure on the TCAP backend servers and within the TCAP by using a generalized processor, the TCAPs may be deployed in numerous environments.

In one particular embodiment as in Figure 5, the TCAP provides facilities to access, process, and store email, files, music, photos and videos through the TCAP. Upon engaging 5 101 of Figure 1 the TCAP 130 to an AT 307, the TCAP will mount and display through the AT's file browser window 125 of Figure 1. As has already described, in the case where the AT has no TCAP driver software, the user may double click on the installer software stored on the TCAP 507. Doing so will launch the installer software from the TCAP's memory to execute on the AT, and the user may be presented with a window to confirm the desire to 10 install the TCAP software onto the AT 507. Upon confirming the install 507, the software will install on the AT and the user will be asked to wait as they are apprised of the install progress 509.

Upon installation, the TCAP front-end software may execute and present the user with various options in various and fanciful interface formats 511, 460, 480 of Figure 4. In 15 one embodiment, these user interfaces and programs are Java applications that may execute on the AT and a present Java runtime. In an alternative embodiment, a small applet may run on the AT, but all other activities may execute on the TCAP's processor, which would use the AT display only as a display terminal. In the embodiment where the TCAP executes program instructions, the TCAP may be engaged to receive commands and execute by 20 receiving a signal from the access terminal driver instructing it to execute certain program files or, alternatively, looking to default location and executing program instructions. In yet

another embodiment, the TCAP may obtain updated interfaces and programs from a backend server for execution either on the TCAP itself and/or the AT; this may be done by synchronization with the backend server and checking for updates of specified files at the backend server. By engaging the user interface, perhaps by clicking on a button to open the

5 TCAP facilities and services 511, the interface may further unfurl to present options to access said facilities and services 513. Here, the interface may reflect ownership of the TCAP by providing a welcome screen and showing some resources available to the user; for example, a button entitled "My Stuff" may serve as a mechanism to advance the user to a screen where they may access their personal data store. At this point the user may attempt to login to

10 access their data by engaging an appropriate button, which will take them to a screen that will accept login information 519. Alternatively, the user may also register if it is their first time using the TCAP by selecting an appropriate button, which will advance the user to a registration screen 515 wherein the user may enter their name, address, credit card information, etc. Upon successfully providing registration information, the user may be

15 prompted for response to further solicitations on a follow-up screen 517. For example, depending on the services offered for a particular TCAP, the user may be provided certain perks like 5 MB of free online storage on a backend server, free photographic prints, free email access, and/or the like 517.

After the user is prompted to login 518 and successfully provides proper login

20 information 519, or after successfully registering 515 and having responded to any solicitations 517, the user may be provided with general options 521 to access data stored on the TCAP itself 522 or in their online account 520 maintained on a backend server. For

example, if the user selects the option to access their online storage 520, they may be presented with more options to interact with email, files, music, photos and videos that are available online 523. Perhaps if the user wished to check their email, the user might select to interact with their email, and a screen allowing them to navigate through their email
5 account(s) would be presented 525. Such online access to data may be facilitated through http protocols whereby the TCAP applications send and receive data through http commands across a communications network interacting with the backend servers and/or other servers. Any received results may be parsed and imbedded in a GUI representation of a Java application. For example, the email facility may run as a Java applet 525 and may employ a
10 POP mail protocol to pull data from a specified mail server to present to the user.

Similarly, many other facilities may be engaged by the user through the TCAP. In one embodiment, the user may drag 508 a file 506 onto a drag-and-drop zone 505 that is presented on the TCAP interface. Upon so doing, various drag-and-drop options may unfurl and present themselves to the user 550. It should be noted that the file may come from
15 anywhere, i.e., from the AT, the TCAP, and/or otherwise. For example, upon dragging and dropping a graphics file, a user may be prompted with options to order prints, upload the file to an online storage space, save the file to the TCAP's memory space, cancel the action, and/or the like 550. If the user sends the file for storage, or otherwise wishes to see and manage their data, an interface allowing for such management may be presented 555. The
20 interface may organize and allow access to general data, picture, and music formats 554, provide usage statistics (e.g., free space, capacity, used space, etc.) 553, provide actions to

manipulate and organize the data 552, provide status on storage usage on the TCAP 551 and online 549, and/or the like.

Should the user engage a user interface element indicating the wish to manipulate their picture data 548, the TCAP interface will update to allow more specific interaction with the user's photos 557. In such a screen, the user may select various stored pictures and then indicate a desire to order photo prints by engaging the appropriate user interface element 558. Should the user indicate their desire for prints 558, they will be presented with an updated interface allowing the specification of what graphics files they wish to have printed 559. In one embodiment, the users may drag-and-drop files into a drop zone, or otherwise engage file browsing mechanisms 560 that allow for the selection of desired files. Upon having identified the files for prints 559, a user may be presented with an interface allowing for the selection of print sizes and quantities 561. After making such specifications, the user may be required to provide shipping information 563 and information for payments 565. After providing the billing information to a backend server for processing and approval, the user may be presented with a confirmation interface allowing for editing of the order, providing confirmation of costs, and allowing for submission of a final order for the selected prints 567. Upon submitting the order, the TCAP will process the files for spooling to a backend server that will accept the order and files, which will be developed as prints and the user's account will be charged accordingly. In one embodiment, all of the above order and image processing operations occur and execute on the TCAP CPU. For example, the TCAP may employ various rendering technologies, e.g., ghostscript, to allow it to read and save PDFs and other media formats.

Figure 6 goes on to illustrate embodiments and facets of the facilities of Figure 5. The TCAP interface allows the user to perform various actions at any given moment. As has already been discussed in Figure 5, the user may drag 508 a file 506 onto a drag and drop zone 505 so as to provide the file to the TCAP for further manipulation. As in 550 of Figure 5, the user may be presented with various options subsequent to a drag-and-drop operation. Also, the TCAP interface may provide visual feedback that files have been dropped in the drop zone by highlighting the drop zone 505b. Should the user wish, they may close the TCAP interface by engaging a close option 633. Also, the ability to change and/or update their personal information may be accessed through the TCAP interface 616, which would provide a form allowing the user to update their registration information 630. In one embodiment, should the user forget their login information, they may request login help 635 and the TCAP will send their authorization information to the last known email address and inform the user of same 640. Also, the TCAP interface may provide help facilities that may be accessed at any time by simply engaging a help facility user interface element 617. So doing will provide the user with help screen information as to how to interact with the TCAP's facilities 625.

Upon providing proper login information 619 and logging-in 619, the user may be presented with a welcome screen with various options to access their data 621 as has already been discussed in Figure 5, 521. By engaging a user interface element to access online storage 620, the user may be presented with various options to interact with online storage 623, 523 of Figure 5. Should the user wish to interact with data on the TCAP itself, the user may indicate so by engaging the appropriate user interface option 622. So doing will provide

the user with further options related to data stored on the TCAP 655. The user may engage an option to view the storage contents 658 and the TCAP interface will provide a listing of the contents 662, which may be manipulated through selection and drag-and-drop operations with the files.

5 In one embodiment, the user may order prints of photos 657 from files that are on the TCAP itself. As discussed in Figure 5, the user may select files for which they desire prints 660. Here, the selected files will first be processed by the TCAP in preparation for sending to backend servers and file manipulations 670. The user may specify various attributes regarding the prints they desire, e.g., the size, number, cropping, red-eye correction, visual
10 effects, and/or the like 661. In one embodiment, such processing occurs on the TCAP processor, while in other embodiments such processing can take place on the AT or backend server. Once again, the user may provide a shipping address 663, and make a final review to place the order 667. Upon committing to the order 667, the processed files are uploaded to the backend servers that will use the files to generate prints 690. A confirmation screen may
15 then be provided to the user with an order number and other relevant information 695.

Figure 7 goes on to illustrate embodiments and facets of the facilities of Figures 5-6 as may apply in different environments. As is demonstrated, the look and feel of the TCAP interface is highly malleable and can serve in many environments. Figure 7 illustrates that even within a single organization, various environments might benefit from TCAPs and
20 services tailored to serve such environments 733b-d. In this case TCAPs can serve in consumer 733b, industry trade 733c, corporate 733d, and/or the like environments.

As has already been discussed, initially in any of the environments, after engaging the TCAP to an AT, the user may be prompted to install the TCAP interface 705 and informed of the installation procedure 710. The user may then be presented with the installed TCAP interface 715, which may be activated by engaging an interface element to unfurl the interface, e.g., in this case by opening the top to a can of soda 717. Opening the interface will present the user with various options as 720, as has already been discussed in Figures 5-6. Similarly the user may login 725 or make a selection to register for various TCAP services and provide the requisite information in the provided form 730. Upon registering and/or logging-in 725, various options may be presented based upon the configuration of the TCAP. For example, if the TCAP was configured and tailored for consumers, then upon logging in 725 the consumer user might be presented 733a-b with various consumer related options 740. Similarly, if the TCAP were tailored for 733a, c the trade industry or 733a, d the corporate environment, options specific to the trade industry 770 and corporate environment 760 may be presented.

In one embodiment, an organization wishing to provide TCAPs to consumers might provide options 740 for free music downloads 743, free Internet radio streaming 748, free news (e.g., provided through an RSS feed from a server) 766, free photo printing 750, free email 740, free coupons 742, free online storage 741, and/or the like. Users could further engage such services (e.g., clicking free music file links for downloading to the TCAP, by ordering prints 750, etc. For example, the user may select files on the TCAP 750, select the types of photos they would like to receive 752, specify a delivery address 754, confirm the

order 756 all of which will result in the TCAP processing the files and uploading them to the backend servers for generation of prints (as has already been discussed in Figures 5-6).

5 In another embodiment, an organization wishing to provide TCAPs to a trade industry might provide options 770 for advertising 780, events 775, promotions 772, and/or the like. It is important to note that information regarding such options may be stored either on the TCAP or at a backend server. In one embodiment, such information may be constantly synchronized from the backend servers to the TCAPs. This would allow an organization to provide updates to the trade industry to all authorized TCAP "key holders." In such an embodiment, the user may be presented with various advertising related materials for the organization, e.g., print, television, outdoor, radio, web, and/or the like 780. With regard to 10 events, the user may be presented with various related materials for the organization, e.g., trade shows, music regional, sponsorship, Web, and/or the like 775. With regard to promotions, the user may be presented with various related materials for the organization, e.g., rebates, coupons, premiums, and/or the like 772.

15 In another embodiment, an organization wishing to provide TCAPs to those in the corporate environment and might provide options relating to various corporate entities 760. Selecting any of the corporate entities 760 may provide the user with options to view various reports, presentations, and/or the like, e.g., annual reports, 10K reports, and/or the like 765. Similarly, the reports may reside on the TCAP and/or the corporate TCAP can act as a 20 security key allowing the user to see the latest corporate related materials from a remote backend server.

Figure 8 goes on to illustrate embodiments and facets of the facilities of Figures 5-7 as may apply in different environments. Figure 8 illustrates that TCAPs may serve to provide heightened security to any environment. As has been discussed in previous figures, users may engage the TCAP interface 805 to access various options 810. The TCAP interface is highly adaptable and various services may be presented within it. For example, a stock ticker may be provided as part of the interface in a financial setting 810. Any number of live data feeds may dynamically update on the face of the interface. Upon logging-in 815 or registering a new account 820, the user may be informed that communications that are taking place are secured 825. In one embodiment, various encryption formats may be used by the TCAP to send information securely to the backend servers. It is important to note that in such an embodiment, even if data moving out of the TCAP and across the AT were captured at the AT, such data would not be readable because the data was encrypted by the TCAP's processor. As such, the TCAP acts as a "key" and provides a plug-and-play VPN to users. Such functionality, heretofore, has been very difficult to set up and/or maintain. In this way, all communications, options presented and views of user data are made available only to the TCAP with the proper decryption key. In heightened security environments, display of TCAP data is provided on the screen only in bitmapped format straight to the video memory of the AT and, therefore, is not stored anywhere else on the AT. This decreases the likelihood of capturing sensitive data. As such, the user may access their data on the TCAP and/or online 830 in a secure form whereby the user may navigate and interact with his/her data and various services 835 in a secure manner.

Tunneling Client Access Point Server Controller

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Figure 9 illustrates one embodiment incorporated into a tunneling client access point server (TCAPS) controller 901. In this embodiment, the TCAP controller 901 may serve to process, store, search, serve, identify, instruct, generate, match, and/or update data in conjunction with a TCAP (see Figure 10 for more details on the TCAP). TCAPS act as
5 backend servers to TCAPs, wherein TCAPS provide storage and/or processing resources to great and/or complex for the TCAP to service itself. In effect, the TCAPS transparently extend the capacity of a TCAP.

In one embodiment, the TCAPS controller 901 may be connected to and/or communicate with entities such as, but not limited to: one or more users from user input
10 devices 911; peripheral devices 912; and/or a communications network 913. The TCAPS controller may even be connected to and/or communicate with a cryptographic processor device 928.

A TCAPS controller 901 may be based on common computer systems that may comprise, but are not limited to, components such as: a computer systemization 902
15 connected to memory 929.

Computer Systemization

A computer systemization 902 may comprise a clock 930, central processing unit (CPU) 903, a read only memory (ROM) 906, a random access memory (RAM) 905, and/or an interface bus 907, and most frequently, although not necessarily, are all interconnected
20 and/or communicating through a system bus 904. Optionally, a cryptographic processor 926 may be connected to the system bus. The system clock typically has a crystal oscillator and

provides a base signal. The clock is typically coupled to the system bus and various clock multipliers that will increase or decrease the base operating frequency for other components interconnected in the computer systemization. The clock and various components in a computer systemization drive signals embodying information throughout the system. Such transmission and reception of signals embodying information throughout a computer systemization may be commonly referred to as communications. These communicative signals may further be transmitted, received, and the cause of return and/or reply signal communications beyond the instant computer systemization to: communications networks, input devices, other computer systemizations, peripheral devices, and/or the like. Of course, any of the above components may be connected directly to one another, connected to the CPU, and/or organized in numerous variations employed as exemplified by various computer systems.

The CPU comprises at least one high-speed data processor adequate to execute program modules for executing user and/or system-generated requests. The CPU may be a microprocessor such as AMD's Athlon, Duron and/or Opteron; IBM and/or Motorola's PowerPC; Intel's Celeron, Itanium, Pentium and/or Xeon; and/or the like processor(s). The CPU interacts with memory through signal passing through conductive conduits to execute stored program code according to conventional data processing techniques. Such signal passing facilitates communication within the TCAPS controller and beyond through various interfaces. Should processing requirements dictate a greater amount speed, mainframe and super computer architectures may similarly be employed.

Interface Adapters

Interface bus(es) 907 may accept, connect, and/or communicate to a number of interface adapters, conventionally although not necessarily in the form of adapter cards, such as but not limited to: input output interfaces (I/O) 908, storage interfaces 909, network
5 interfaces 910, and/or the like. Optionally, cryptographic processor interfaces 927 similarly may be connected to the interface bus. The interface bus provides for the communications of interface adapters with one another as well as with other components of the computer systemization. Interface adapters are adapted for a compatible interface bus. Interface adapters conventionally connect to the interface bus via a slot architecture. Conventional slot
10 architectures may be employed, such as, but not limited to: Accelerated Graphics Port (AGP), Card Bus, (Extended) Industry Standard Architecture ((E)ISA), Micro Channel Architecture (MCA), NuBus, Peripheral Component Interconnect (Extended) (PCI(X)), Personal Computer Memory Card International Association (PCMCIA), and/or the like.

Storage interfaces 909 may accept, communicate, and/or connect to a number of
15 storage devices such as, but not limited to: storage devices 914, removable disc devices, and/or the like. Storage interfaces may employ connection protocols such as, but not limited to: (Ultra) (Serial) Advanced Technology Attachment (Packet Interface) ((Ultra) (Serial) ATA(PI)), (Enhanced) Integrated Drive Electronics ((E)IDE), Institute of Electrical and Electronics Engineers (IEEE) 1394, fiber channel, Small Computer Systems Interface
20 (SCSI), Universal Serial Bus (USB), and/or the like.

Network interfaces 910 may accept, communicate, and/or connect to a communications network 913. Network interfaces may employ connection protocols such as, but not limited to: direct connect, Ethernet (thick, thin, twisted pair 10/100/1000 Base T, and/or the like), Token Ring, wireless connection such as IEEE 802.11a-x, and/or the like. A
5 communications network may be any one and/or the combination of the following: a direct interconnection; the Internet; a Local Area Network (LAN); a Metropolitan Area Network (MAN); an Operating Missions as Nodes on the Internet (OMNI); a secured custom connection; a Wide Area Network (WAN); a wireless network (e.g., employing protocols such as, but not limited to a Wireless Application Protocol (WAP), I-mode, and/or the like);
10 and/or the like. A network interface may be regarded as a specialized form of an input output interface. Further, multiple network interfaces 910 may be used to engage with various communications network types 913. For example, multiple network interfaces may be employed to allow for the communication over broadcast, multicast, and/or unicast networks.

[0100] Input Output interfaces (I/O) 908 may accept, communicate, and/or connect to
15 user input devices 911, peripheral devices 912, cryptographic processor devices 928, and/or the like. I/O may employ connection protocols such as, but not limited to: Apple Desktop Bus (ADB); Apple Desktop Connector (ADC); audio: analog, digital, monaural, RCA, stereo, and/or the like; IEEE 1394a-b; infrared; joystick; keyboard; midi; optical; PC AT; PS/2; parallel; radio; serial; USB; video interface: BNC, composite, digital, Digital Visual
20 Interface (DVI), RCA, S-Video, VGA, and/or the like; wireless; and/or the like. A common output device is a video display, which typically comprises a Cathode Ray Tube (CRT) or Liquid Crystal Display (LCD) based monitor with an interface (e.g., DVI circuitry and cable)

that accepts signals from a video interface. The video interface composites information generated by a computer systemization and generates video signals based on the composited information in a video memory frame. Typically, the video interface provides the composited video information through a video connection interface that accepts a video display interface
5 (e.g., a DVI connector accepting a DVI display cable).

User input devices 911 may be card readers, dongles, finger print readers, gloves, graphics tablets, joysticks, keyboards, mouse (mice), trackballs, trackpads, retina readers, and/or the like.

Peripheral devices 912 may be connected and/or communicate to I/O and/or other
10 facilities of the like such as network interfaces, storage interfaces, and/or the like. Peripheral devices may be audio devices, cameras, dongles (e.g., for copy protection, ensuring secure transactions with a digital signature, and/or the like), external processors (for added functionality), goggles, microphones, monitors, network interfaces, printers, scanners, storage devices, video devices, visors, and/or the like.

15 It should be noted that although user input devices and peripheral devices may be employed, the TCAPS controller may be embodied as an embedded, dedicated, and/or headless device, wherein access would be provided over a network interface connection.

Cryptographic units such as, but not limited to, microcontrollers, processors 926, interfaces 927, and/or devices 928 may be attached, and/or communicate with the TCAPS
20 controller. A MC68HC16 microcontroller, commonly manufactured by Motorola Inc., may be used for and/or within cryptographic units. Equivalent microcontrollers and/or processors

may also be used. The MC68HC16 microcontroller utilizes a 16-bit multiply-and-accumulate instruction in the 16 MHz configuration and requires less than one second to perform a 512-bit RSA private key operation. Cryptographic units support the authentication of communications from interacting agents, as well as allowing for anonymous transactions.

5 Cryptographic units may also be configured as part of CPU. Other commercially available specialized cryptographic processors include VLSI Technology's 33 MHz 6868 or Semaphore Communications' 40 MHz Roadrunner 184.

Memory

Generally, any mechanization and/or embodiment allowing a processor to affect the
10 storage and/or retrieval of information is regarded as memory 929. However, memory is a fungible technology and resource, thus, any number of memory embodiments may be employed in lieu of or in concert with one another. It is to be understood that a TCAPS controller and/or a computer systemization may employ various forms of memory 929. For example, a computer systemization may be configured wherein the functionality of on-chip
15 CPU memory (e.g., registers), RAM, ROM, and any other storage devices are provided by a paper punch tape or paper punch card mechanism; of course such an embodiment would result in an extremely slow rate of operation. In a typical configuration, memory 929 will include ROM 906, RAM 905, and a storage device 914. A storage device 914 may be any conventional computer system storage. Storage devices may include a drum; a (fixed and/or
20 removable) magnetic disk drive; a magneto-optical drive; an optical drive (i.e., CD ROM/RAM/Recordable (R), ReWritable (RW), DVD R/RW, etc.); and/or other devices of the like. Thus, a computer systemization generally requires and makes use of memory.

Module Collection

The memory 929 may contain a collection of program and/or database modules and/or data such as, but not limited to: operating system module(s) 915 (operating system); information server module(s) 916 (information server); user interface module(s) 917 (user interface); Web browser module(s) 918 (Web browser); database(s) 919; cryptographic server module(s) 920 (cryptographic server); TCAPS module(s) 935; and/or the like (i.e., collectively a module collection). These modules may be stored and accessed from the storage devices and/or from storage devices accessible through an interface bus. Although non-conventional software modules such as those in the module collection, typically, are stored in a local storage device 914, they may also be loaded and/or stored in memory such as: peripheral devices, RAM, remote storage facilities through a communications network, ROM, various forms of memory, and/or the like.

Operating System

The operating system module 915 is executable program code facilitating the operation of a TCAPS controller. Typically, the operating system facilitates access of I/O, network interfaces, peripheral devices, storage devices, and/or the like. The operating system may be a highly fault tolerant, scalable, and secure system such as Apple Macintosh OS X (Server), AT&T Plan 9, Be OS, Linux, Unix, and/or the like operating systems. However, more limited and/or less secure operating systems also may be employed such as Apple Macintosh OS, Microsoft DOS, Palm OS, Windows 2000/2003/3.1/95/98/CE/Millennium/NT/XP (Server), and/or the like. An operating system may communicate to and/or with other modules in a module collection, including itself,

and/or the like. Most frequently, the operating system communicates with other program modules, user interfaces, and/or the like. For example, the operating system may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses. The operating system, once executed by the CPU, may enable the interaction with communications networks, data, I/O, peripheral devices, program modules, memory, user input devices, and/or the like. The operating system may provide communications protocols that allow the TCAPS controller to communicate with other entities through a communications network 913. Various communication protocols may be used by the TCAPS controller as a subcarrier transport mechanism for interaction, such as, but not limited to: multicast, TCP/IP, UDP, unicast, and/or the like.

Information Server

An information server module 916 is stored program code that is executed by the CPU. The information server may be a conventional Internet information server such as, but not limited to Apache Software Foundation's Apache, Microsoft's Internet Information Server, and/or the like. The information server may allow for the execution of program modules through facilities such as Active Server Page (ASP), ActiveX, (ANSI) (Objective-) C (++), Common Gateway Interface (CGI) scripts, Java, JavaScript, Practical Extraction Report Language (PERL), Python, WebObjects, and/or the like. The information server may support secure communications protocols such as, but not limited to, File Transfer Protocol (FTP); HyperText Transfer Protocol (HTTP); Secure Hypertext Transfer Protocol (HTTPS), Secure Socket Layer (SSL), and/or the like. The information server provides results in the form of Web pages to Web browsers, and allows for the manipulated generation of the Web pages

through interaction with other program modules. After a Domain Name System (DNS) resolution portion of an HTTP request is resolved to a particular information server, the information server resolves requests for information at specified locations on a TCAPS controller based on the remainder of the HTTP request. For example, a request such as

5 http://123.124.125.126/myInformation.html might have the IP portion of the request “123.124.125.126” resolved by a DNS server to an information server at that IP address; that information server might in turn further parse the http request for the “/myInformation.html” portion of the request and resolve it to a location in memory containing the information “myInformation.html.” Additionally, other information serving protocols may be employed

10 across various ports, e.g., FTP communications across port 21, and/or the like. An information server may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the information server communicates with the TCAPS database 919, operating systems, other program modules, user interfaces, Web browsers, and/or the like.

15 Access to TCAPS database may be achieved through a number of database bridge mechanisms such as through scripting languages as enumerated below (e.g., CGI) and through inter-application communication channels as enumerated below (e.g., CORBA, WebObjects, etc.). Any data requests through a Web browser are parsed through the bridge mechanism into appropriate grammars as required by the TCAP. In one embodiment, the

20 information server would provide a Web form accessible by a Web browser. Entries made into supplied fields in the Web form are tagged as having been entered into the particular fields, and parsed as such. The entered terms are then passed along with the field tags, which

act to instruct the parser to generate queries directed to appropriate tables and/or fields. In one embodiment, the parser may generate queries in standard SQL by instantiating a search string with the proper join/select commands based on the tagged text entries, wherein the resulting command is provided over the bridge mechanism to the TCAPS as a query. Upon
5 generating query results from the query, the results are passed over the bridge mechanism, and may be parsed for formatting and generation of a new results Web page by the bridge mechanism. Such a new results Web page is then provided to the information server, which may supply it to the requesting Web browser.

Also, an information server may contain, communicate, generate, obtain, and/or
10 provide program module, system, user, and/or data communications, requests, and/or responses.

User Interface

A user interface module 917 is stored program code that is executed by the CPU. The user interface may be a conventional graphic user interface as provided by, with, and/or atop
15 operating systems and/or operating environments such as Apple Macintosh OS, e.g., Aqua, Microsoft Windows (NT/XP), Unix X Windows (KDE, Gnome, and/or the like), and/or the like. The user interface may allow for the display, execution, interaction, manipulation, and/or operation of program modules and/or system facilities through textual and/or graphical facilities. The user interface provides a facility through which users may affect,
20 interact, and/or operate a computer system. A user interface may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most

frequently, the user interface communicates with operating systems, other program modules, and/or the like. The user interface may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses.

5 Web Browser

A Web browser module 918 is stored program code that is executed by the CPU. The Web browser may be a conventional hypertext viewing application such as Microsoft Internet Explorer or Netscape Navigator. Secure Web browsing may be supplied with 128bit (or greater) encryption by way of HTTPS, SSL, and/or the like. Some Web browsers allow
10 for the execution of program modules through facilities such as Java, JavaScript, ActiveX, and/or the like. Web browsers and like information access tools may be integrated into PDAs, cellular telephones, and/or other mobile devices. A Web browser may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the Web browser communicates with information servers, operating
15 systems, integrated program modules (e.g., plug-ins), and/or the like; e.g., it may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses. Of course, in place of a Web browser and information server, a combined application may be developed to perform similar functions of both. The combined application would similarly affect the obtaining and the provision of
20 information to users, user agents, and/or the like from TCAPS enabled nodes. The combined application may be nugatory on systems employing standard Web browsers.

TCAPS Database

A TCAPS database module 919 may be embodied in a database and its stored data. The database is stored program code, which is executed by the CPU; the stored program code portion configuring the CPU to process the stored data. The database may be a conventional, 5 fault tolerant, relational, scalable, secure database such as Oracle or Sybase. Relational databases are an extension of a flat file. Relational databases consist of a series of related tables. The tables are interconnected via a key field. Use of the key field allows the combination of the tables by indexing against the key field; i.e., the key fields act as dimensional pivot points for combining information from various tables. Relationships 10 generally identify links maintained between tables by matching primary keys. Primary keys represent fields that uniquely identify the rows of a table in a relational database. More precisely, they uniquely identify rows of a table on the "one" side of a one-to-many relationship.

Alternatively, the TCAPS database may be implemented using various standard data- 15 structures, such as an array, hash, (linked) list, struct, structured text file (e.g., XML), table, and/or the like. Such data-structures may be stored in memory and/or in (structured) files. In another alternative, an object-oriented database may be used, such as Frontier, ObjectStore, Poet, Zope, and/or the like. Object databases can include a number of object collections that are grouped and/or linked together by common attributes; they may be related to other object 20 collections by some common attributes. Object-oriented databases perform similarly to relational databases with the exception that objects are not just pieces of data but may have other types of functionality encapsulated within a given object. If the TCAPS database is

implemented as a data-structure, the use of the TCAPS database may be integrated into another module such as the TCAPS module. Also, the database may be implemented as a mix of data structures, objects, and relational structures. Databases may be consolidated and/or distributed in countless variations through standard data processing techniques.

5 Portions of databases, e.g., tables, may be exported and/or imported and thus decentralized and/or integrated. In one embodiment, the database module 919 includes three tables 919a-c. A user accounts table 919a includes fields such as, but not limited to: a user name, user address, user authorization information (e.g., user name, password, biometric data, etc.), user credit card, organization, organization account, TCAP unique identifier, account creation

10 data, account expiration date; and/or the like. In one embodiment, user accounts may be activated only for set amounts of time and will then expire once a specified date has been reached. An user data table 919b includes fields such as, but not limited to: a TCAP unique identifier, backup image, data store, organization account, and/or the like. A user programs table 919c includes fields such as, but not limited to: system programs, organization

15 programs, programs to be synchronized, and/or the like. In one embodiment, user programs may contain various user interface primitives, which may serve to update TCAPs. Also, various accounts may require custom database tables depending upon the environments and the types of TCAPs a TCAPS may need to serve. It should be noted that any unique fields may be designated as a key field throughout. In an alternative embodiment, these tables have

20 been decentralized into their own databases and their respective database controllers (i.e., individual database controllers for each of the above tables). Employing standard data processing techniques, one may further distribute the databases over several computer

systemizations and/or storage devices. Similarly, configurations of the decentralized database controllers may be varied by consolidating and/or distributing the various database modules 919a-c. The TCAPS may be configured to keep track of various settings, inputs, and parameters via database controllers.

5 A TCAPS database may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the TCAPS database communicates with a TCAPS module, other program modules, and/or the like. The database may contain, retain, and provide information regarding other nodes and data.

Cryptographic Server

10 A cryptographic server module 920 is stored program code that is executed by the CPU 903, cryptographic processor 926, cryptographic processor interface 927, cryptographic processor device 928, and/or the like. Cryptographic processor interfaces will allow for expedition of encryption and/or decryption requests by the cryptographic module; however, the cryptographic module, alternatively, may run on a conventional CPU. The cryptographic
15 module allows for the encryption and/or decryption of provided data. The cryptographic module allows for both symmetric and asymmetric (e.g., Pretty Good Protection (PGP)) encryption and/or decryption. The cryptographic module may employ cryptographic techniques such as, but not limited to: digital certificates (e.g., X.509 authentication framework), digital signatures, dual signatures, enveloping, password access protection,
20 public key management, and/or the like. The cryptographic module will facilitate numerous (encryption and/or decryption) security protocols such as, but not limited to: checksum, Data

Encryption Standard (DES), Elliptical Curve Encryption (ECC), International Data Encryption Algorithm (IDEA), Message Digest 5 (MD5, which is a one way hash function), passwords, Rivest Cipher (RC5), Rijndael, RSA (which is an Internet encryption and authentication system that uses an algorithm developed in 1977 by Ron Rivest, Adi Shamir, and Leonard Adleman), Secure Hash Algorithm (SHA), Secure Socket Layer (SSL), Secure Hypertext Transfer Protocol (HTTPS), and/or the like. Employing such encryption security protocols, the TCAPS may encrypt all incoming and/or outgoing communications and may serve as node within a virtual private network (VPN) with a wider communications network. The cryptographic module facilitates the process of “security authorization” whereby access to a resource is inhibited by a security protocol wherein the cryptographic module effects authorized access to the secured resource. In addition, the cryptographic module may provide unique identifiers of content, e.g., employing and MD5 hash to obtain a unique signature for an digital audio file. A cryptographic module may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. The cryptographic module supports encryption schemes allowing for the secure transmission of information across a communications network to enable a TCAPS module to engage in secure transactions if so desired. The cryptographic module facilitates the secure accessing of resources on TCAPS and facilitates the access of secured resources on remote systems; i.e., it may act as a client and/or server of secured resources. Most frequently, the cryptographic module communicates with information servers, operating systems, other program modules, and/or the like. The cryptographic module may contain, communicate, generate, obtain,

and/or provide program module, system, user, and/or data communications, requests, and/or responses.

TCAPS

A TCAPS module 935 is stored program code that is executed by the CPU. The
5 TCAPS affects accessing, obtaining and the provision of information, services, transactions,
and/or the like across various communications networks. The TCAPS enables TCAP users to
simply access data and/or services across a communications network in a secure manner. The
TCAPS extends the storage and processing capacities and capabilities of TCAPs. The
TCAPS coordinates with the TCAPS database to identify interassociated items in the
10 generation of entries regarding any related information. A TCAPS module enabling access of
information between nodes may be developed by employing standard development tools
such as, but not limited to: (ANSI) (Objective-) C (++), Apache modules, binary executables,
Java, Javascript, mapping tools, procedural and object oriented development tools, PERL,
Python, shell scripts, SQL commands, web application server extensions, WebObjects,
15 and/or the like. In one embodiment, the TCAPS server employs a cryptographic server to
encrypt and decrypt communications. A TCAPS module may communicate to and/or with
other modules in a module collection, including itself, and/or facilities of the like. Most
frequently, the TCAPS module communicates with a TCAPS database, operating systems,
other program modules, and/or the like. The TCAPS may contain, communicate, generate,
20 obtain, and/or provide program module, system, user, and/or data communications, requests,
and/or responses.

Distributed TCAP

The structure and/or operation of any of the TCAPS node controller components may be combined, consolidated, and/or distributed in any number of ways to facilitate development and/or deployment. Similarly, the module collection may be combined in any
5 number of ways to facilitate deployment and/or development. To accomplish this, one may integrate the components into a common code base or in a facility that can dynamically load the components on demand in an integrated fashion.

The module collection may be consolidated and/or distributed in countless variations through standard data processing and/or development techniques. Multiple instances of any
10 one of the program modules in the program module collection may be instantiated on a single node, and/or across numerous nodes to improve performance through load-balancing and/or data-processing techniques. Furthermore, single instances may also be distributed across multiple controllers and/or storage devices; e.g., databases. All program module instances and controllers working in concert may do so through standard data processing
15 communication techniques.

The configuration of the TCAPS controller will depend on the context of system deployment. Factors such as, but not limited to, the budget, capacity, location, and/or use of the underlying hardware resources may affect deployment requirements and configuration. Regardless of if the configuration results in more consolidated and/or integrated program
20 modules, results in a more distributed series of program modules, and/or results in some combination between a consolidated and distributed configuration, data may be

communicated, obtained, and/or provided. Instances of modules consolidated into a common code base from the program module collection may communicate, obtain, and/or provide data. This may be accomplished through intra-application data processing communication techniques such as, but not limited to: data referencing (e.g., pointers), internal messaging, 5 object instance variable communication, shared memory space, variable passing, and/or the like.

If module collection components are discrete, separate, and/or external to one another, then communicating, obtaining, and/or providing data with and/or to other module components may be accomplished through inter-application data processing communication 10 techniques such as, but not limited to: Application Program Interfaces (API) information passage; (distributed) Component Object Model ((D)COM), (Distributed) Object Linking and Embedding ((D)OLE), and/or the like), Common Object Request Broker Architecture (CORBA), process pipes, shared files, and/or the like. Messages sent between discrete module components for inter-application communication or within memory spaces of a 15 singular module for intra-application communication may be facilitated through the creation and parsing of a grammar. A grammar may be developed by using standard development tools such as lex, yacc, and/or the like, which allow for grammar generation and parsing functionality, which in turn may form the basis of communication messages within and between modules. Again, the configuration will depend upon the context of system 20 deployment.

Tunneling Client Access Point Controller

Figure 10 illustrates one embodiment incorporated into a tunneling client access point (TCAP) controller 1001. Much of the description of the TCAPS of Figure 9 applies to the TCAP, and as such, the disclosure focuses more upon the variances exhibited in the TCAP. In this embodiment, the TCAP controller 1001 may serve to process, store, search, identify, 5 instruct, generate, match, and/or update data within itself, at a TCAPS, and/or through an AT.

The first and foremost difference between the TCAP and the TCAPS is that the TCAP is very small as was shown 130 of Figure 1. The TCAP may be packaged in plugin sticks, often, smaller than the size of a human thumb. In one embodiment, a TCAP may be hardened for military use. In such an embodiment, the shell 1001 may be composed of metal, 10 and/or other durable composites. Also, components within may be shielded from radiation.

In one embodiment, the TCAP controller 1001 may be connected to and/or communicate with entities such as, but not limited to: one or more users from an access terminal 1011b. The access terminal itself may be connected to peripherals such as user input devices (e.g., keyboard 1012a, mouse 1012b, etc.); and/or a communications network 1013 in 15 manner similar to that described in Figure 9.

A TCAP controller 1001 may be based on common computer systems components that may comprise, but are not limited to, components such as: a computer systemization 1002 connected to memory 1029. Optionally, the TCAP controller 1001 may convey information 1058, produce output through an output device 1048, and obtain input from 20 control device 1018.

Control Device

The control device 1018 may be optionally provided to accept user input to control access to the TCAP controller. In one embodiment, the control device may provide a keypad 1028. Such a keypad would allow the user to enter passwords, personal identification
5 numbers (PIN), and/or the like.

In an alternative embodiment, the control device may include a security device 1038. In one embodiment, the security device is a fingerprint integrated circuit (fingerprint IC) that provides biometric fingerprint information such as, but not limited to AuthenTec Inc.'s FingerLoc™ AF-S2™. Either a fingerprint IC and/or other biometric device will provide
10 biometric validation information that may be used to confirm the identity of a TCAP user and ensure that transactions are legitimate. In alternative embodiments, a simple button, heat sensor, and/or other type of user input functionality may be provided solely and/or in concert with other types of control device types. The control device may be connected to the I/O interface, the system bus, or the CPU directly.

15 The output device 1048 is used to provide status information to the user. In one alternative embodiment, the output device is an LCD panel capable of providing alpha numeric and/or graphic displays. In an alternative embodiment, the output device may be a speaker providing audible signals indicating errors and/or actually streaming information that is audible to the user, such as voice alerts. The output device may be connected to the I/O
20 interface, the system bus, or the CPU directly.

The conveyance information 1058 component of the TCAP controller may include any number of indicia representing the TCAP's source on the cover 1001. Source conveying indicia may include, but is not limited to: an owner name 1059 for readily verifying a TCAP user; a photo of the owner 1060 for readily verifying a TCAP controller owner; mark
5 designating the source that issued the TCAP 1061, 1001 such as a corporate logo, and/or the like; fanciful design information 1062 for enhancing the visual appearance of the TCAP; and/or the like. It should be noted that the conveyance information 11421 may be positioned anywhere on the cover 1189.

Computer Systemization

10 A computer systemization 1002 may comprise a clock 1030, central processing unit (CPU) 1003, a read only memory (ROM) 1006, a random access memory (RAM) 1005, and/or an interface bus 1007, and most frequently, although not necessarily, are all interconnected and/or communicating through a system bus 1004. Optionally the computer systemization may be connected to an internal power source 1086. Optionally, a
15 cryptographic processor 1026 may be connected to the system bus. The system clock typically has a crystal oscillator and provides a base signal. Of course, any of the above components may be connected directly to one another, connected to the CPU, and/or organized in numerous variations employed as exemplified by various computer systems.

The CPU comprises at least one low-power data processor adequate to execute
20 program modules for executing user and/or system-generated requests. The CPU may be a

microprocessor such as ARM's Application Cores, Embedded Cores, Secure Cores; Motorola's DragonBall; and/or the like processor(s).

Power Source

The power source 1086 may be of any standard form for powering small electronic
5 circuit board devices such as but not limited to: alkaline, lithium hydride, lithium ion, nickel
cadmium, solar cells, and/or the like. In the case of solar cells, the case provides an aperture
through which the solar cell protrudes are to receive photonic energy. The power cell 1086 is
connected to at least one of the interconnected subsequent components of the TCAP thereby
providing an electric current to all subsequent components. In one example, the power cell
10 1086 is connected to the system bus component 1004. In an alternative embodiment, an
outside power source 1086 is provided through a connection across the I/O 1008 interface.
For example, a USB and/or IEEE 1394 connection carries both data and power across the
connection and is therefore a suitable source of power.

Interface Adapters

15 Interface bus(es) 1007 may accept, connect, and/or communicate to a number of
interface adapters, conventionally although not necessarily in the form of adapter cards, such
as but not limited to: input output interfaces (I/O) 1008, storage interfaces 1009, network
interfaces 1010, and/or the like. Optionally, cryptographic processor interfaces 1027
similarly may be connected to the interface bus. The interface bus provides for the
20 communications of interface adapters with one another as well as with other components of
the computer systemization. Interface adapters are adapted for a compatible interface bus. In

one embodiment, the interface bus provides I/O 1008 via a USB port. In an alternative embodiment, the interface bus provides I/O via an IEEE 1394 port. In an alternative embodiment, wireless transmitters are employed by interfacing wireless protocol integrated circuits (ICs) for I/O via the interface bus 1007.

5 Storage interfaces 1009 may accept, communicate, and/or connect to a number of storage devices such as, but not limited to: storage devices 1014, removable disc devices, and/or the like. Storage interfaces may employ connection protocols such as, but not limited to a flash memory connector, and/or the like. In one embodiment, an optional network interface may be provide 1010.

10 [0101] Input Output interfaces (I/O) 1008 may accept, communicate, and/or connect to an access terminal 1011b. I/O may employ connection protocols such as, but not limited to: Apple Desktop Bus (ADB); Apple Desktop Connector (ADC); IEEE 1394a-b; infrared; PC AT; PS/2; parallel; radio; serial; USB, and/or the like; wireless component; and/or the like.

15 Wireless Component

[0102] In one embodiment a wireless component may comprise a Bluetooth chip disposed in communication with a transceiver 1043 and a memory 1029 through the interface bus 1007 and/or system bus 1004. The transceiver may be either external to the Bluetooth chip, or integrated within the Bluetooth chip itself. The transceiver is a radio frequency (RF)
20 transceiver operating in the range as required for Bluetooth transmissions. Further, the Bluetooth chip 1044 may integrate an input/output interface (I/O) 1066. The Bluetooth chip

and its I/O may be configured to interface with the TCAP controller through the interface bus, the system buss, and/or directly with the CPU. The I/O may be used to interface with other components such as an access terminal 1011b equipped with similar wireless capabilities. In one embodiment, the TCAP may optionally interconnect wirelessly with a peripheral device 912 and/or a control device 911 of Figure 9. In one example embodiment, the I/O may be based on serial line technologies, a universal serial bus (USB) protocol, and/or the like. In an alternative embodiment, the I/O may be based on the ISO 7816-3 standard. It should be noted that the Bluetooth chip in an alternative embodiment may be replaced with an IEEE 802.11b wireless chip. In another embodiment, both a Bluetooth chip and an IEEE 802.11b wireless chip may be used to communicate and or bridge communications with respectively enabled devices. It should further be noted that the transceiver 1043 may be used to wirelessly communicate with other devices powered by Bluetooth chips and/or IEEE 802.11b chips and/or the like. The ROM can provide a basic instruction set enabling the Bluetooth chip to use its I/O to communicate with other components. A number of Bluetooth chips are commercially available, and may be used as a Bluetooth chip in the wireless component, such as, but not limited to, CSR's BlueCore line of chips. If IEEE 802.11b functionality is required, a number of chips are commercially available for the wireless component as well.

Cryptographic units such as, but not limited to, microcontrollers, processors 1026, and/or interfaces 1027 may be attached, and/or communicate with the TCAP controller. A Secure Core component commonly manufactured by ARM, Inc. and may be used for and/or within cryptographic units.

Memory

Generally, any mechanization and/or embodiment allowing a processor to affect the storage and/or retrieval of information is regarded as memory 1029. However, memory is a fungible technology and resource, thus, any number of memory embodiments may be employed in lieu of or in concert with one another. It is to be understood that a TCAP controller and/or a computer systemization may employ various forms of memory 1029. In a typical configuration, memory 1029 will include ROM 1006, RAM 1005, and a storage device 1014. A storage device 1014 may be any conventional computer system storage. Storage devices may include flash memory, micro hard drives, and/or the like.

10 Module Collection

The memory 1029 may contain a collection of program and/or database modules and/or data such as, but not limited to: operating system module(s) 1015 (operating system); information server module(s) 1016 (information server); user interface module(s) 1017 (user interface); Web browser module(s) 1018 (Web browser); database(s) 1019; cryptographic server module(s) 1020 (cryptographic server); access terminal module 1021; TCAP module(s) 1035; and/or the like (i.e., collectively a module collection). These modules may be stored and accessed from the storage devices and/or from storage devices accessible through an interface bus. Although non-conventional software modules such as those in the module collection, typically, are stored in a local storage device 1014, they may also be loaded and/or stored in memory such as: peripheral devices, RAM, remote storage facilities through an access terminal, communications network, ROM, various forms of memory, and/or the like. In one embodiment, all data stored in memory is encrypted by employing the

cryptographic server 1020 as described in further detail below. In one embodiment, the ROM contains a unique TCAP identifier. For example, the TCAP may contain a unique digital certificate, number, and/or the like, which may be used for purposes of verification and encryption across a network and/or in conjunction with a TCAPS.

5 Operating System

The operating system module 1015 is executable program code facilitating the operation of a TCAP controller. Typically, the operating system facilitates access of I/O, network interfaces, peripheral devices, storage devices, and/or the like. The operating system may be a highly fault tolerant, scalable, and secure system such as Linux, and/or the like
10 operating systems. However, more limited and/or less secure operating systems also may be employed such as Java runtime OS, and/or the like. An operating system may communicate to and/or with other modules in a module collection, including itself, and/or the like. Most frequently, the operating system communicates with other program modules, user interfaces, and/or the like. For example, the operating system may contain, communicate, generate,
15 obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses. The operating system, once executed by the CPU, may enable the interaction with an access terminal, communications networks, data, I/O, peripheral devices, program modules, memory, user input devices, and/or the like. The operating system may provide communications protocols that allow the TCAP controller to communicate with
20 other entities through an access terminal. Various communication protocols may be used by the TCAP controller as a subcarrier transport mechanism for interaction, such as, but not limited to: TCP/IP, USB, and/or the like.

Information Server

An information server module 1016 is stored program code that is executed by the CPU. The information server may be a conventional Internet information server such as, but not limited to Apache Software Foundation's Apache, and/or the like. The information server may allow for the execution of program modules through facilities such as Active Server Page (ASP), ActiveX, (ANSI) (Objective-) C (++), Common Gateway Interface (CGI) scripts, Java, JavaScript, Practical Extraction Report Language (PERL), Python, WebObjects, and/or the like. The information server may support secure communications protocols such as, but not limited to, File Transfer Protocol (FTP); HyperText Transfer Protocol (HTTP); Secure Hypertext Transfer Protocol (HTTPS), Secure Socket Layer (SSL), and/or the like. The information server provides results in the form of Web pages to Web browsers, and allows for the manipulated generation of the Web pages through interaction with other program modules. An information server may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the information server communicates with the TCAP database 1019, operating systems, other program modules, user interfaces, Web browsers, and/or the like.

Access to TCAP database may be achieved through a number of database bridge mechanisms such as through scripting languages as enumerated below (e.g., CGI) and through inter-application communication channels as enumerated below (e.g., CORBA, WebObjects, etc.). Any data requests through a Web browser are parsed through the bridge mechanism into appropriate grammars as required by the TCAP. In one embodiment, the information server would provide a Web form accessible by a Web browser. Entries made

into supplied fields in the Web form are tagged as having been entered into the particular fields, and parsed as such. The entered terms are then passed along with the field tags, which act to instruct the parser to generate queries directed to appropriate tables and/or fields. In one embodiment, the parser may generate queries in standard SQL by instantiating a search string with the proper join/select commands based on the tagged text entries, wherein the resulting command is provided over the bridge mechanism to the TCAP as a query. Upon generating query results from the query, the results are passed over the bridge mechanism, and may be parsed for formatting and generation of a new results Web page by the bridge mechanism. Such a new results Web page is then provided to the information server, which may supply it to the requesting Web browser.

Also, an information server may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses.

User Interface

A user interface module 1017 is stored program code that is executed by the CPU. The user interface may be a conventional graphic user interface as provided by, with, and/or atop operating systems and/or operating environments such as Apple Macintosh OS, e.g., Aqua, Microsoft Windows (NT/XP), Unix X Windows (KDE, Gnome, and/or the like), and/or the like. The TCAP may employ code natively compiled for various operating systems, or code compiled using Java. The user interface may allow for the display, execution, interaction, manipulation, and/or operation of program modules and/or system

facilities through textual and/or graphical facilities. The user interface provides a facility through which users may affect, interact, and/or operate a computer system. A user interface may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the user interface communicates with operating
5 systems, other program modules, and/or the like. The user interface may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses.

Web Browser

A Web browser module 1018 is stored program code that is executed by the CPU. A
10 small-scale embedded Web browser may allow the TCAP to access and communicate with an attached access terminal, and beyond across a communications network. An example browser is Blazer, Opera, FireFox, etc. A browsing module may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses. Of course, in place of a Web browser and information server, a
15 combined application may be developed to perform similar functions of both. The combined application would similarly affect the obtaining and the provision of information to users, user agents, and/or the like from TCAP enabled nodes. The combined application may be nugatory on systems employing standard Web browsers.

TCAP Database

20 A TCAP database module 1019 may be embodied in a database and its stored data. The database is stored program code, which is executed by the CPU; the stored program code

portion configuring the CPU to process the stored data. In one embodiment, the TCAP database may be implemented using various standard data-structures, such as an array, hash, (linked) list, struct, structured text file (e.g., XML), table, and/or the like. Such data-structures may be stored in memory and/or in (structured) files. If the TCAP database is

5 implemented as a data-structure, the use of the TCAP database may be integrated into another module such as the TCAP module. Databases may be consolidated and/or distributed in countless variations through standard data processing techniques. Portions of databases, e.g., tables, may be exported and/or imported and thus decentralized and/or integrated. In one embodiment, the database module 1019 includes three tables 1019a-c. A user accounts table

10 1019a includes fields such as, but not limited to: a user name, user address, user authorization information (e.g., user name, password, biometric data, etc.), user credit card, organization, organization account, TCAP unique identifier, account creation data, account expiration date; and/or the like. In one embodiment, user accounts may be activated only for set amounts of time and will then expire once a specified date has been reached. An user data table 1019b

15 includes fields such as, but not limited to: a TCAP unique identifier, backup image, data store, organization account, and/or the like. In one embodiment, the entire TCAP memory 1029 is processed into an image and spooled to a TCAPS for backup storage. A user programs table 1019c includes fields such as, but not limited to: system programs, organization programs, programs to be synchronized, and/or the like. It should be noted that

20 any unique fields may be designated as a key field throughout. In an alternative embodiment, these tables have been decentralized into their own databases and their respective database controllers (i.e., individual database controllers for each of the above tables). Employing

standard data processing techniques, one may further distribute the databases over several computer systemizations and/or storage devices. Similarly, configurations of the decentralized database controllers may be varied by consolidating and/or distributing the various database modules 1019a-c. The TCAP may be configured to keep track of various
5 settings, inputs, and parameters via database controllers.

A TCAP database may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the TCAP database communicates with a TCAP module, other program modules, and/or the like. The database may contain, retain, and provide information regarding other nodes and data.

10 Cryptographic Server

A cryptographic server module 1020 is stored program code that is executed by the CPU 1003, cryptographic processor 1026, cryptographic processor interface 1027, and/or the like. Cryptographic processor interfaces will allow for expedition of encryption and/or decryption requests by the cryptographic module; however, the cryptographic module,
15 alternatively, may run on a conventional CPU. The cryptographic module allows for the encryption and/or decryption of provided data. The cryptographic module allows for both symmetric and asymmetric (e.g., Pretty Good Protection (PGP)) encryption and/or decryption. The cryptographic module may employ cryptographic techniques such as, but not limited to: digital certificates (e.g., X.509 authentication framework), digital signatures, dual
20 signatures, enveloping, password access protection, public key management, and/or the like. The cryptographic module will facilitate numerous (encryption and/or decryption) security

protocols such as, but not limited to: checksum, Data Encryption Standard (DES), Elliptical Curve Encryption (ECC), International Data Encryption Algorithm (IDEA), Message Digest 5 (MD5, which is a one way hash function), passwords, Rivest Cipher (RC5), Rijndael, RSA (which is an Internet encryption and authentication system that uses an algorithm developed
5 in 1977 by Ron Rivest, Adi Shamir, and Leonard Adleman), Secure Hash Algorithm (SHA), Secure Socket Layer (SSL), Secure Hypertext Transfer Protocol (HTTPS), and/or the like. The cryptographic module facilitates the process of “security authorization” whereby access to a resource is inhibited by a security protocol wherein the cryptographic module effects authorized access to the secured resource. In addition, the cryptographic module may provide
10 unique identifiers of content, e.g., employing an MD5 hash to obtain a unique signature for an digital audio file. A cryptographic module may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. The cryptographic module supports encryption schemes allowing for the secure transmission of information across a communications network to enable a TCAP module to engage in secure transactions
15 if so desired. The cryptographic module facilitates the secure accessing of resources on TCAP and facilitates the access of secured resources on remote systems; i.e., it may act as a client and/or server of secured resources. Most frequently, the cryptographic module communicates with information servers, operating systems, other program modules, and/or the like. The cryptographic module may contain, communicate, generate, obtain, and/or
20 provide program module, system, user, and/or data communications, requests, and/or responses. In one embodiment, the TCAP employs the cryptographic server to encrypt all data stored in memory 1029 based on the TCAP’s unique ID and user’s authorization

information. In another embodiment, the TCAP employs the cryptographic server to encrypt all data sent through the access terminal based in the TCAP's unique ID and user's authorization information.

TCAP

5 A TCAP module 1035 is stored program code that is executed by the CPU. The TCAP affects accessing, obtaining and the provision of information, services, storage, transactions, and/or the like within its memory and/or across various communications networks. The TCAP enables users to simply access data and/or services from any location where an access terminal is available. It provides secure, extremely low powerful and ultra
10 portable access to data and services that were heretofore impossible. The TCAP coordinates with the TCAP database to identify interassociated items in the generation of entries regarding any related information. A TCAP module enabling access of information between nodes may be developed by employing standard development tools such as, but not limited to: (ANSI) (Objective-) C (++), Apache modules, binary executables, Java, Javascript,
15 mapping tools, procedural and object oriented development tools, PERL, Python, shell scripts, SQL commands, web application server extensions, WebObjects, and/or the like. In one embodiment, the TCAP server employs a cryptographic server to encrypt and decrypt communications. A TCAP module may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the TCAP
20 module communicates with a TCAP database, a TCAP access terminal module 1021 running on an access terminal 1011b, operating systems, other program modules, and/or the like. The

TCAP may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or data communications, requests, and/or responses.

Access Terminal Module

An access terminal module 1021 is stored program code that is executed by a CPU. In one embodiment, the TCAP allows the access terminal 1011b to access its memory 1029 across its I/O 1008 and the access terminal executes the module. The access terminal module affects accessing, obtaining and the provision of information, services, storage, transactions, and/or the like within the TCAP's and access terminal's memory and/or across various communications networks. The access terminal module 1021 acts as a bridge through which the TCAP can communicate with communications network, and through which users may interact with the TCAP by using the I/O of the access terminal. The access terminal module coordinates with the TCAP module 1035 to send data and communications back and forth. A access terminal module enabling access of information between the TCAP and access terminal may be developed by employing standard development tools such as, but not limited to: (ANSI) (Objective-) C (++), Apache modules, binary executables, Java, Javascript, mapping tools, procedural and object oriented development tools, PERL, Python, shell scripts, SQL commands, web application server extensions, WebObjects, and/or the like. In one embodiment, the access terminal module is compiled for target access terminal platform, e.g., for Windows. In an alternative embodiment, a processor independent approach is taken, e.g., Java is used, so that the access terminal module will run on multiple platforms. In another embodiment, the TCAP server employs a cryptographic server to encrypt and decrypt communications as between it, the TCAP, and outside servers. A access terminal

module may communicate to and/or with other modules in a module collection, including itself, and/or facilities of the like. Most frequently, the access terminal module communicates with a TCAP, , other program modules, and/or the like. The access terminal module may contain, communicate, generate, obtain, and/or provide program module, system, user, and/or
5 data communications, requests, and/or responses.

Distributed TCAP

The structure and/or operation of any of the TCAP node controller components may be combined, consolidated, and/or distributed in any number of ways to facilitate development and/or deployment. Similarly, the module collection may be combined in any
10 number of ways to facilitate deployment and/or development. To accomplish this, one may integrate the components into a common code base or in a facility that can dynamically load the components on demand in an integrated fashion.

The module collection may be consolidated and/or distributed in countless variations through standard data processing and/or development techniques. Multiple instances of any
15 one of the program modules in the program module collection may be instantiated on a single node, and/or across numerous nodes to improve performance through load-balancing and/or data-processing techniques. Furthermore, single instances may also be distributed across multiple controllers and/or storage devices; e.g., databases. All program module instances and controllers working in concert may do so through standard data processing
20 communication techniques.

The configuration of the TCAP controller will depend on the context of system deployment. Factors such as, but not limited to, the budget, capacity, location, and/or use of the underlying hardware resources may affect deployment requirements and configuration. Regardless of if the configuration results in more consolidated and/or integrated program
5 modules, results in a more distributed series of program modules, and/or results in some combination between a consolidated and distributed configuration, data may be communicated, obtained, and/or provided. Instances of modules consolidated into a common code base from the program module collection may communicate, obtain, and/or provide data. This may be accomplished through intra-application data processing communication
10 techniques such as, but not limited to: data referencing (e.g., pointers), internal messaging, object instance variable communication, shared memory space, variable passing, and/or the like.

If module collection components are discrete, separate, and/or external to one another, then communicating, obtaining, and/or providing data with and/or to other module
15 components may be accomplished through inter-application data processing communication techniques such as, but not limited to: Application Program Interfaces (API) information passage; (distributed) Component Object Model ((D)COM), (Distributed) Object Linking and Embedding ((D)OLE), and/or the like), Common Object Request Broker Architecture (CORBA), process pipes, shared files, and/or the like. Messages sent between discrete
20 module components for inter-application communication or within memory spaces of a singular module for intra-application communication may be facilitated through the creation and parsing of a grammar. A grammar may be developed by using standard development

tools such as lex, yacc, and/or the like, which allow for grammar generation and parsing functionality, which in turn may form the basis of communication messages within and between modules. Again, the configuration will depend upon the context of system deployment.

5 The entirety of this disclosure (including the Cover Page, Title, Headings, Field, Background, Summary, Brief Description of the Drawings, Detailed Description, Claims, Abstract, Figures, and otherwise) shows by way of illustration various embodiments in which the claimed inventions may be practiced. The advantages and features of the disclosure are of a representative sample of embodiments only, and are not exhaustive and/or exclusive. They
10 are presented only to assist in understanding and teach the claimed principles. It should be understood that they are not representative of all claimed inventions. As such, certain aspects of the disclosure have not been discussed herein. That alternate embodiments may not have been presented for a specific portion of the invention or that further undescribed alternate embodiments may be available for a portion is not to be considered a disclaimer of those
15 alternate embodiments. It will be appreciated that many of those undescribed embodiments incorporate the same principles of the invention and others are equivalent. Thus, it is to be understood that other embodiments may be utilized and functional, logical, organizational, structural and/or topological modifications may be made without departing from the scope and/or spirit of the disclosure. As such, all examples and/or embodiments are deemed to be
20 non-limiting throughout this disclosure. Also, no inference should be drawn regarding those embodiments discussed herein relative to those not discussed herein other than for purposes of space and reducing repetition. For instance, it is to be understood that the logical and/or

topological structure of any combination of any program modules (a module collection), other components and/or any present feature sets as described in the figures and/or throughout are not limited to a fixed operating order and/or arrangement, but rather, any disclosed order is exemplary and all equivalents, regardless of order, are contemplated by the disclosure. Furthermore, it is to be understood that such features are not limited to serial execution, but rather, any number of threads, processes, services, servers, and/or the like that may execute asynchronously, simultaneously, synchronously, and/or the like are contemplated by the disclosure. As such, some of these features may be mutually contradictory, in that they cannot be simultaneously present in a single embodiment.

5

10 Similarly, some features are applicable to one aspect of the invention, and inapplicable to others. In addition, the disclosure includes other inventions not presently claimed. Applicant reserves all rights in those presently unclaimed inventions including the right to claim such inventions, file additional applications, continuations, continuations in part, divisions, and/or the like thereof. As such, it should be understood that advantages, embodiments, examples, functional, features, logical, organizational, structural, topological, and/or other aspects of the disclosure are not to be considered limitations on the disclosure as defined by the claims or limitations on equivalents to the claims.

15

CLAIMS

What is claimed is:

Claim 1: A portable device, comprising:

5 (a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface;

(b) a processor; and

10 (c) a memory having a plurality of processing instructions stored thereon, including:

(1) a first set of processing instructions, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;

15 (2) at least one processing instruction, which when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute a set of processing instructions stored on the portable device memory; and

20 (3) a second set of processing instructions, which when executed by the portable device processor in response to user interaction with the interactive user interface, causes the portable device to transmit a communication to a communication network node;

wherein the portable device is configured to effect the display of processing activity of the second set of processing instructions on the first output component; and

wherein the portable device is configured to communicate with the terminal and to communicate through the terminal network interface with the communication network node.

Claim 2: The portable device of claim 1, wherein the external communication interface is a universal serial bus interface.

5 **Claim 3:** The portable device of claim 1, wherein the external communication interface is a wireless communication interface.

Claim 4: The portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol.

10 **Claim 5:** The portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol.

Claim 6: The portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like.

15 **Claim 7:** The portable device of claim 1, wherein the communication network comprises a local area network.

Claim 8: The portable device of claim 7, wherein the communication network node comprises a server.

Claim 9: The portable device of claim 7, wherein the communication network node comprises a data storage system.

20 **Claim 10:** The portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks.

Claim 11: The portable device of claim 7, wherein the communication network node comprises a printer.

Claim 12: The portable device of claim 7, wherein the communication network comprises a wireless local area network.

Claim 13: The portable device of claim 1, wherein the communication network comprises a wide area network.

5 **Claim 14:** The portable device of claim 1, wherein the communication network comprises the Internet.

Claim 15: The portable device of claim 14, wherein the communication network node comprises a server.

10 **Claim 16:** The portable device of claim 14, wherein the communication network node comprises a data storage system.

Claim 17: The portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks.

Claim 18: The portable device of claim 14, wherein the communication network node comprises an intermediary node.

15 **Claim 19:** The portable device of claim 18, wherein the intermediary node comprises a router.

Claim 20: The portable device of claim 1, wherein the communication network comprises a wireless network.

20 **Claim 21:** The portable device of 1, wherein the at least one processing instruction, which when executed causes the interactive user interface to be presented on the first output component, comprises a third set of processing instructions.

Claim 22: The portable device of claim 21, wherein the third set of processing instructions is configured to be executed by the portable device processor.

Claim 23: The portable device of claim 21, wherein the third set of processing instructions is configured to be executed by the terminal processor.

Claim 24: The portable device of claim 1, wherein the first output component comprises a display device.

5 **Claim 25:** A method implemented on a portable device comprising a processor, a memory having a plurality of processing instructions stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

10 (a) providing the terminal with access to a first set of processing instructions stored on the portable device memory, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;

15 (b) executing at least one processing instruction stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute a second set of processing instructions stored on the portable device memory;

20 (c) executing a second set of processing instructions stored on the portable device memory in response to user interaction with the interactive user interface;

(d) transmitting a communication to a communication network node; and

(e) effecting the display of processing activity of the second set of processing instructions on the first output component.

Claim 26: The method of claim 25, wherein the at least one processing instruction stored on the portable device memory to cause an interactive user interface to be presented on the first output component comprises a third set of processing instructions stored on the portable device memory.

5 **Claim 27:** The method of claim 26, further comprising executing the third set of processing instructions on the portable device processor.

Claim 28: The method of claim 26, further comprising executing the third set of processing instructions on the terminal processor.

10 **Claim 29:** A method implemented on a portable device comprising a processor, a memory having a plurality of processing instructions stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

15 (a) providing the terminal with access to a first set of processing instructions stored on the portable device memory, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;

20 (b) providing the terminal with access to a second set of processing instructions stored on the portable device memory, which when executed by the terminal processor, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute a third set of processing instructions stored on the portable device memory;

25 (c) executing a third set of processing instructions stored on the portable device memory in response to user interaction with the interactive user interface;

(d) transmitting a communication to a communication network node; and

(e) effecting the display of processing activity of the third set of processing instructions on the first output component.

Claim 30: A non-transitory computer readable medium containing a plurality of processing instructions to be executed by a computer system comprising a portable device and a terminal, the portable device comprising an external communications interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, and the terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the plurality of processing instructions comprising:

(a) a first set of processing instructions, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;

(b) at least one processing instructions, which when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute a set of processing instructions stored on the portable device memory; and

(c) a second set of processing instructions, which when executed by the portable device processor in response to user interaction with the interactive user interface, causes the portable device to transmit a communication to a communication network node.

Claim 31: The non-transitory computer readable medium of claim 30, wherein the at least one processing instruction, which when executed causes an interactive user interface to be presented on the first output component comprises a third set of processing instructions.

Claim 32: The non-transitory computer readable medium of claim 31, wherein the third set of processing instructions is configured to be executed by the portable device processor.

Claim 33: The non-transitory computer readable medium of claim 31, wherein the third set of processing instructions is configured to be executed by the terminal processor.

5 **Claim 34:** A system implementing a terminal having a terminal processor, a first input device, a first output device, and a network interface, the system comprising:

(a) a communication network node; and

(b) a portable device comprising an external communication interface for enabling the transmission of a plurality of communications between the portable device and
10 the terminal, a processor and a memory, wherein the memory has a plurality of processing instructions stored thereon, the portable device configured to:

(1) provide the terminal with access to a first set of processing instructions stored on the portable device memory, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact
15 with the portable device and provides the portable device with access to the terminal network interface;

(2) execute at least one processing instruction stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause
20 the portable device processor to execute a second set of processing instructions stored on the portable device memory;

(3) execute a second set of processing instructions stored on the portable device memory in response to user interaction with the interactive user interface;

(4) transmit a communication to the communication network node; and

25 (5) effect the display of processing activity of the second set of processing instructions on the first output component.

Claim 35: The system of claim 34, wherein the at least one processing instruction, which when executed causes an interactive user interface to be presented on the first output component, comprises a third set of processing instructions.

Claim 36: The system of claim 35, wherein the portable device is configured to provide
5 the terminal with access to the third set of processing instructions.

Claim 37: The system of claim 35, wherein the portable device is configured to execute the third set of processing instructions.

ABSTRACT

1
2 The disclosure details the implementation of an apparatus, method, and system for a
3 tunneling client access point (TCAP). The disclosure teaches a highly secure, portable, power
4 efficient storage and data processing mechanism. The TCAP “tunnels” data through an
5 access terminal (AT). The data may be tunneled through the AT’s input/output facilities. In
6 one example embodiment, the TCAP has no user input or output peripherals. The TCAP
7 connects to an access terminal and a user employs the AT’s user input peripherals for input,
8 and views the TCAPs activities on the AT’s display. This enables the user to observe data
9 stored on the TCAP without it being resident on the AT, which can be useful to maintain
10 higher levels of data security. Also, the TCAP may tunnel data through an AT across a
11 communications network to access remote servers without requiring its own more
12 complicated set of peripherals and I/O. One aspect of the disclosure teaches an elegant user
13 interface for allowing a user to execute and access data from almost any access terminal. The
14 disclosure teaches how to allow users to employ traditional large user interfaces that users are
15 already comfortable with on a device that offers greater portability, greater memory
16 footprints, lower power consumption, and greater data security. As such, the disclosed
17 tunneling client access point is very easy to use; at most it requires the user to simply plug
18 the device into any existing and available desktop or laptop computer, through which, the
19 TCAP can make use of a traditional user interface and peripherals. The disclosure also
20 teaches a TCAP server (TCAPS). The TCAPS extends the storage and processing capacities
21 and capabilities of TCAPs. Also, by providing the equivalent of a plug-n-play virtual private

22 network (VPN), the disclosure teaches how the TCAP provides for certain kinds of accessing
23 of remote data in an easy and secure manner. The result and manner in which this is
24 achieved, yields the generation of a never before accessible, novel, non-obvious, yet
25 extremely useful portable computing and storage device.

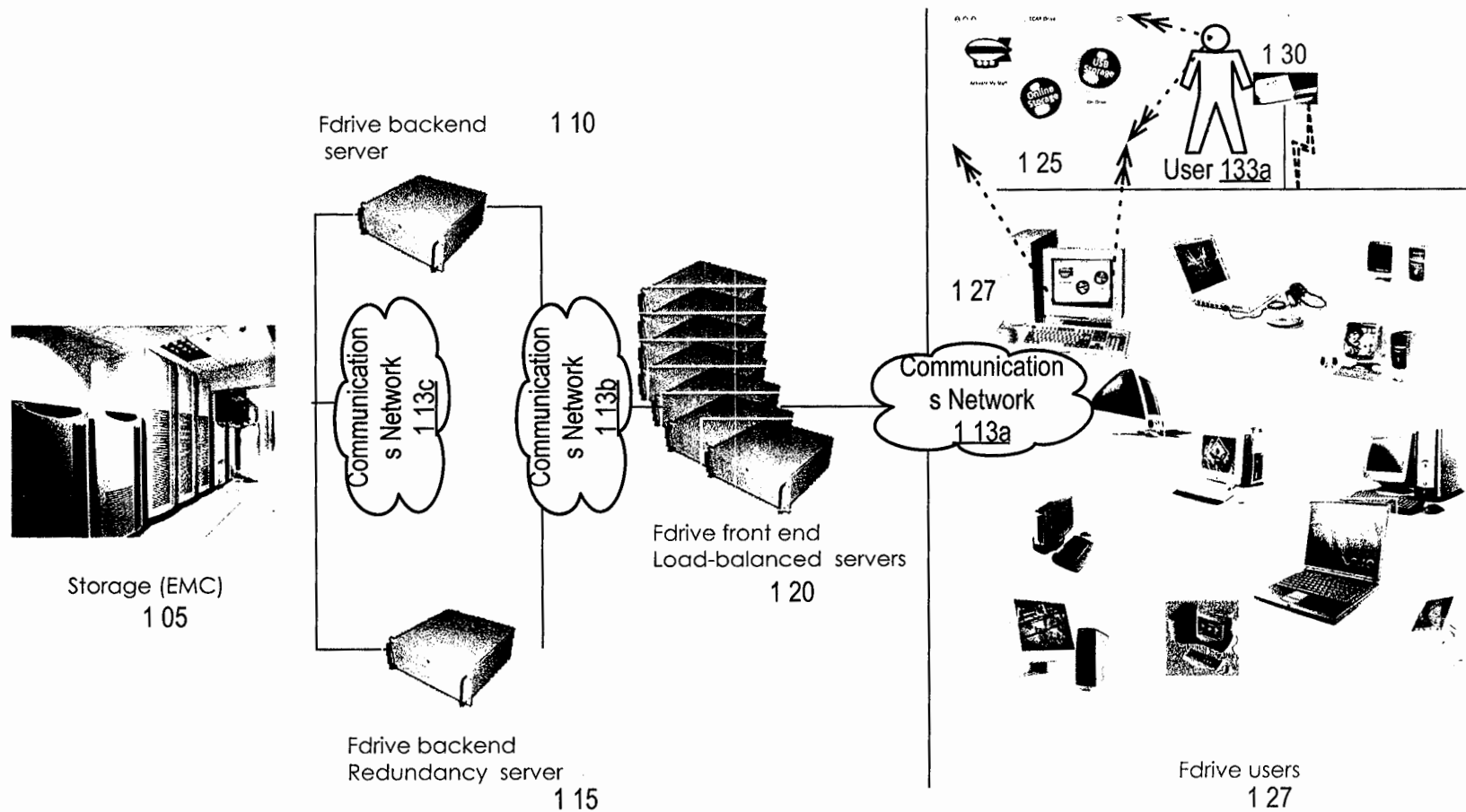


Figure 1

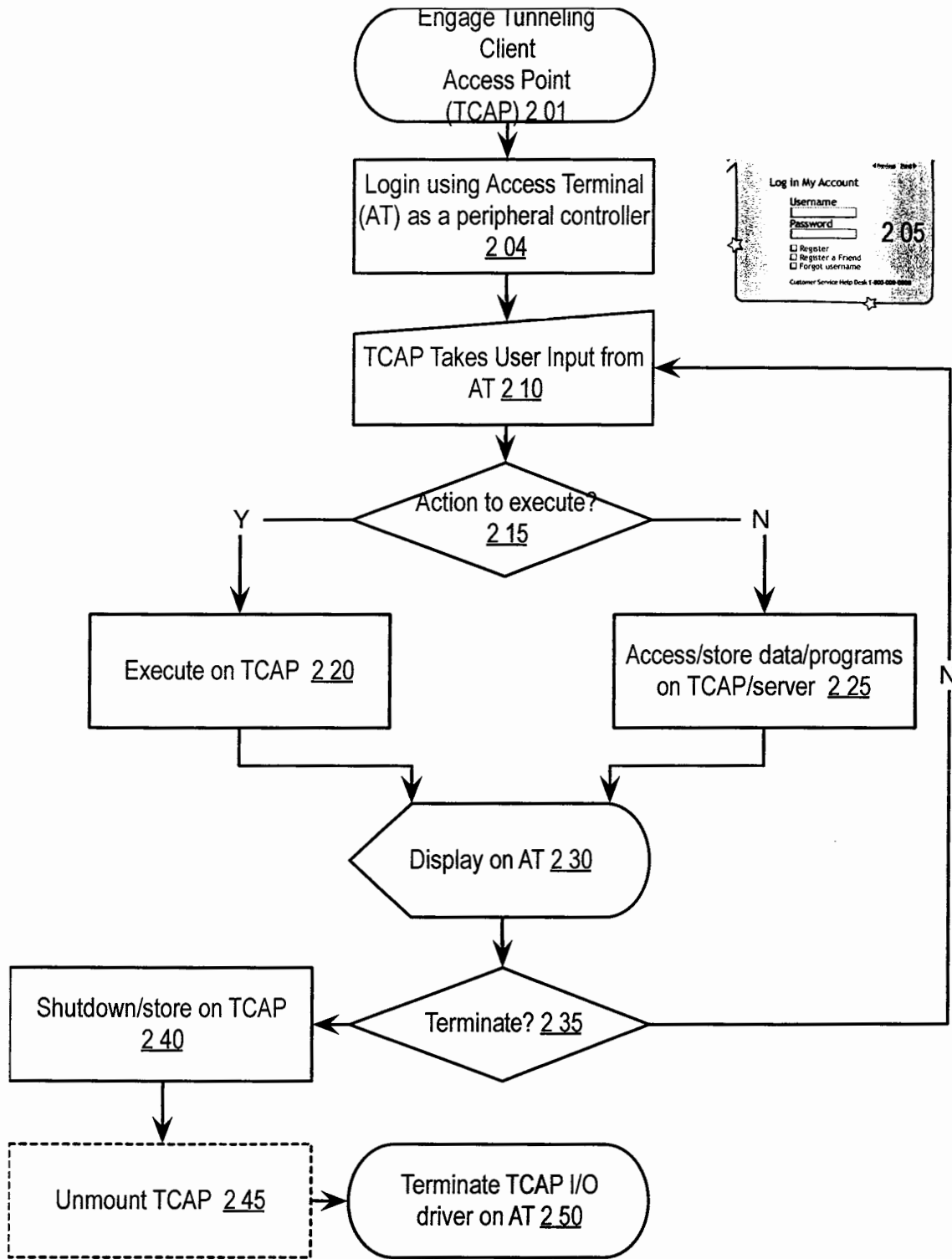


Figure 2

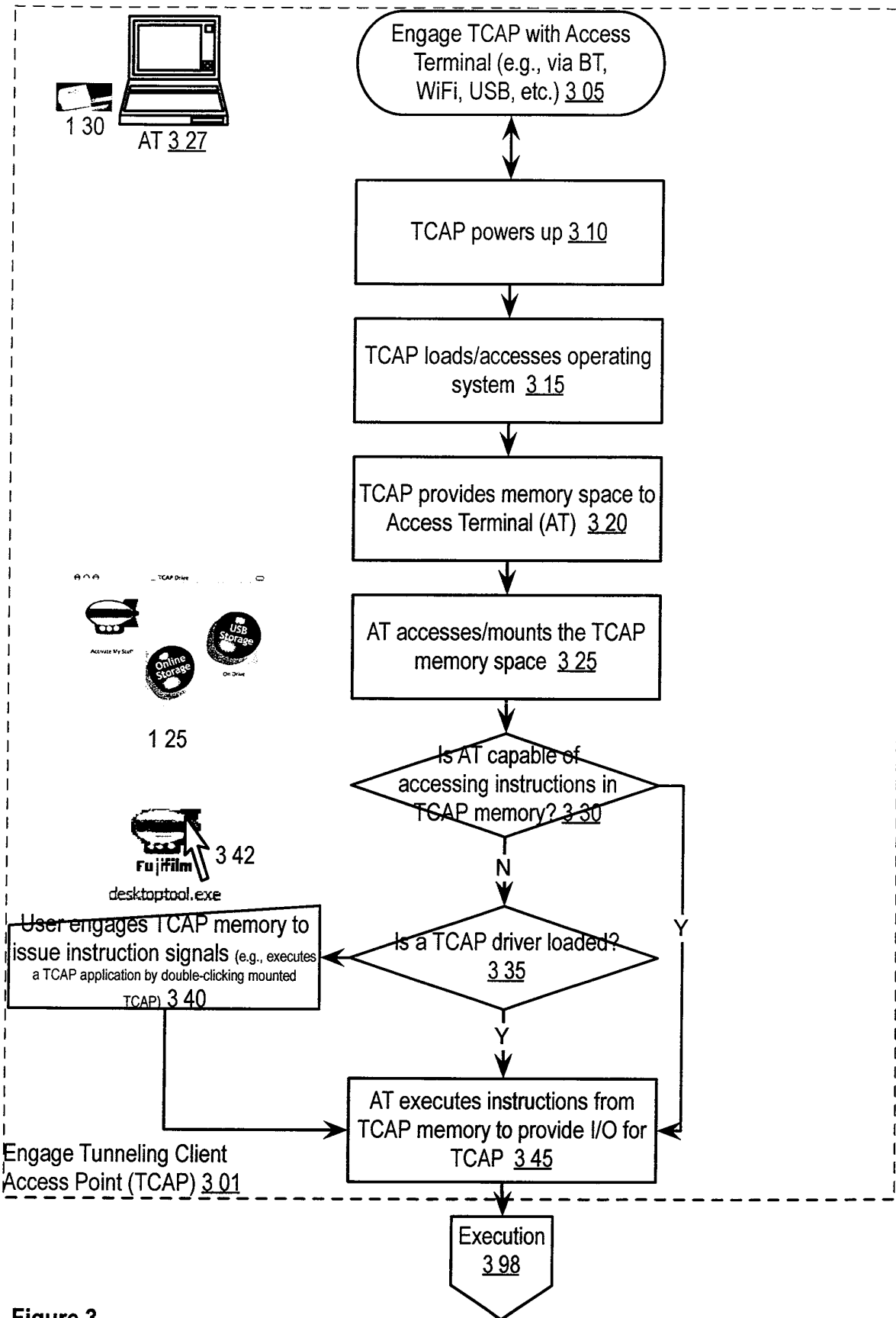


Figure 3

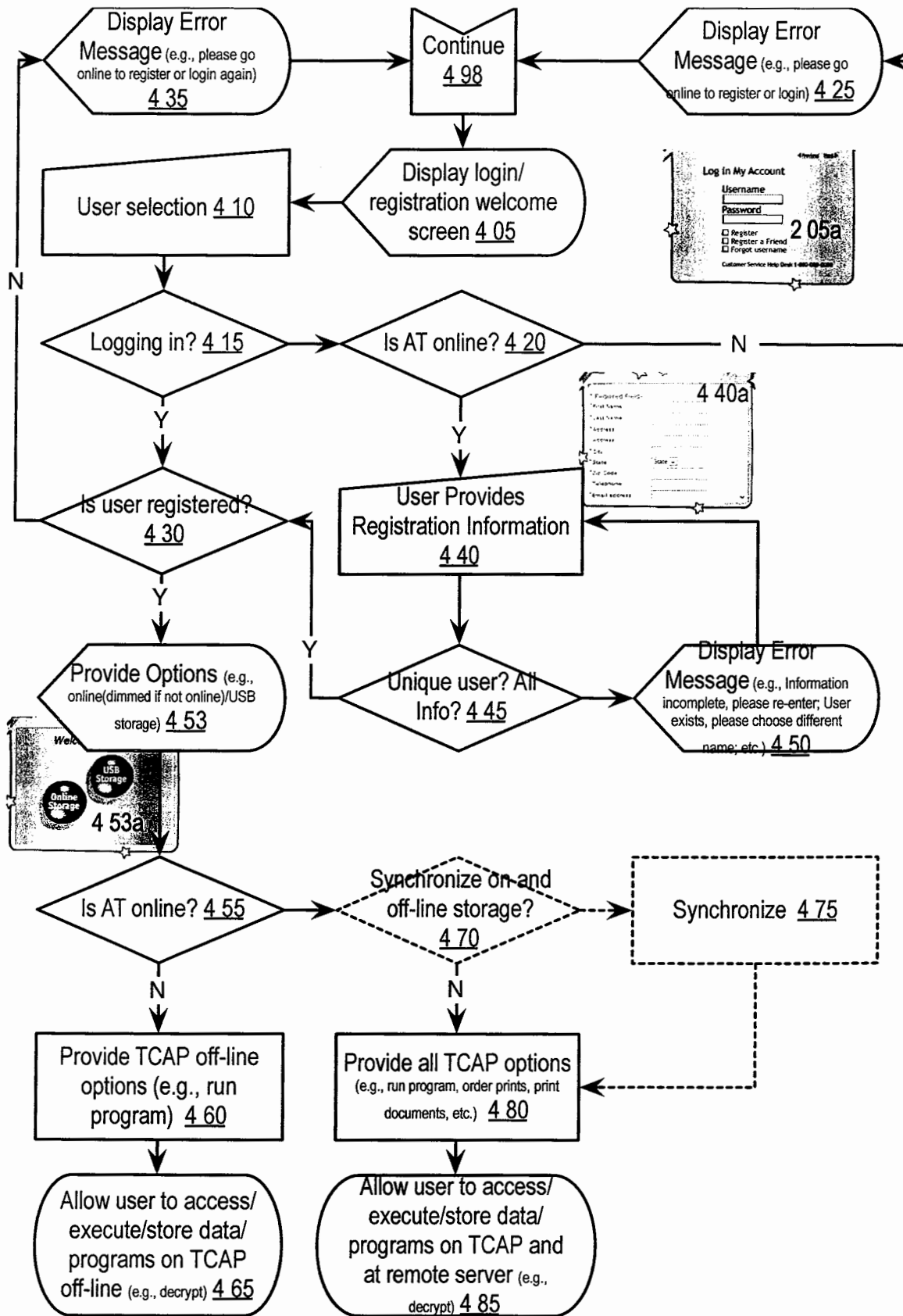


Figure 4

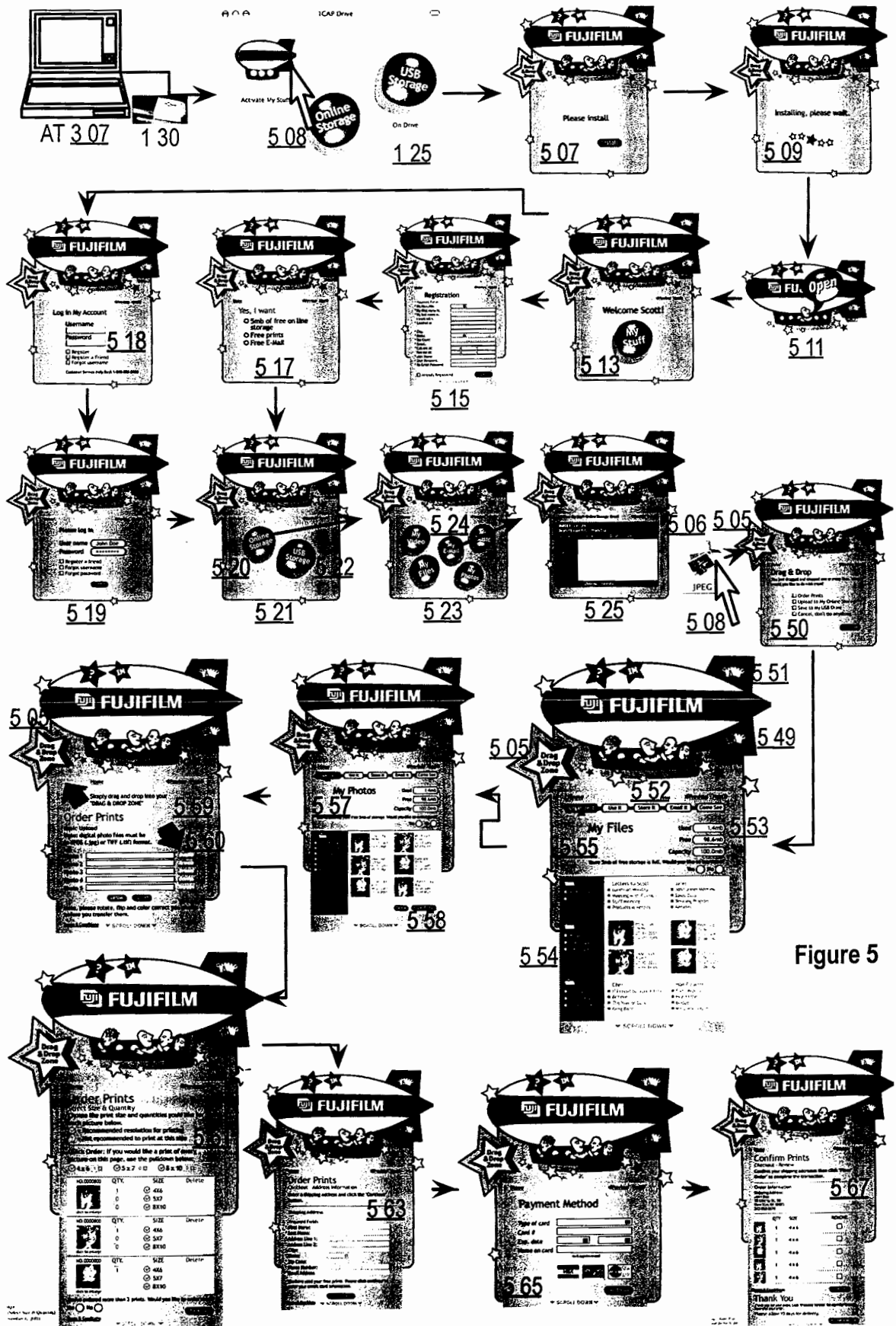


Figure 5

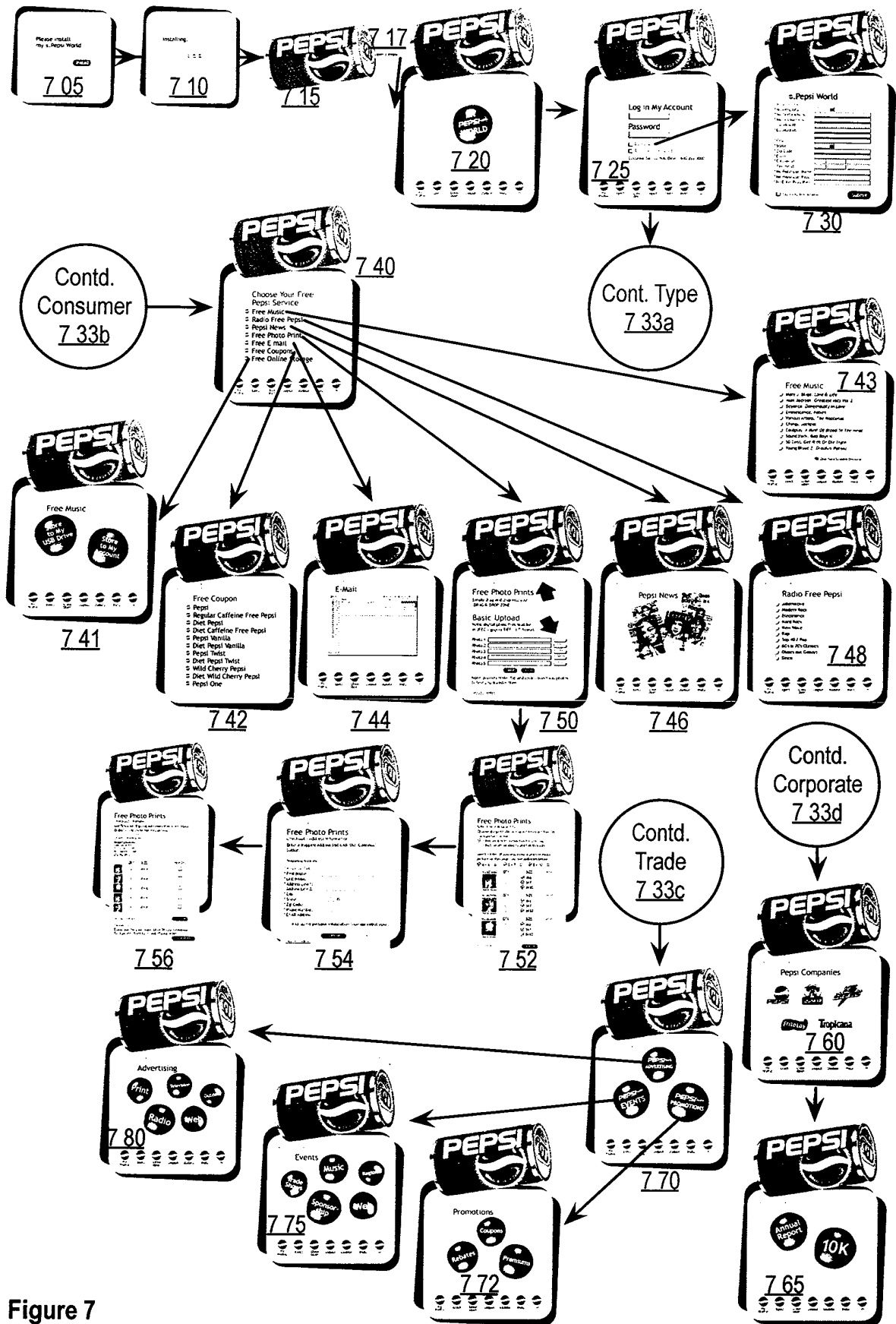


Figure 7

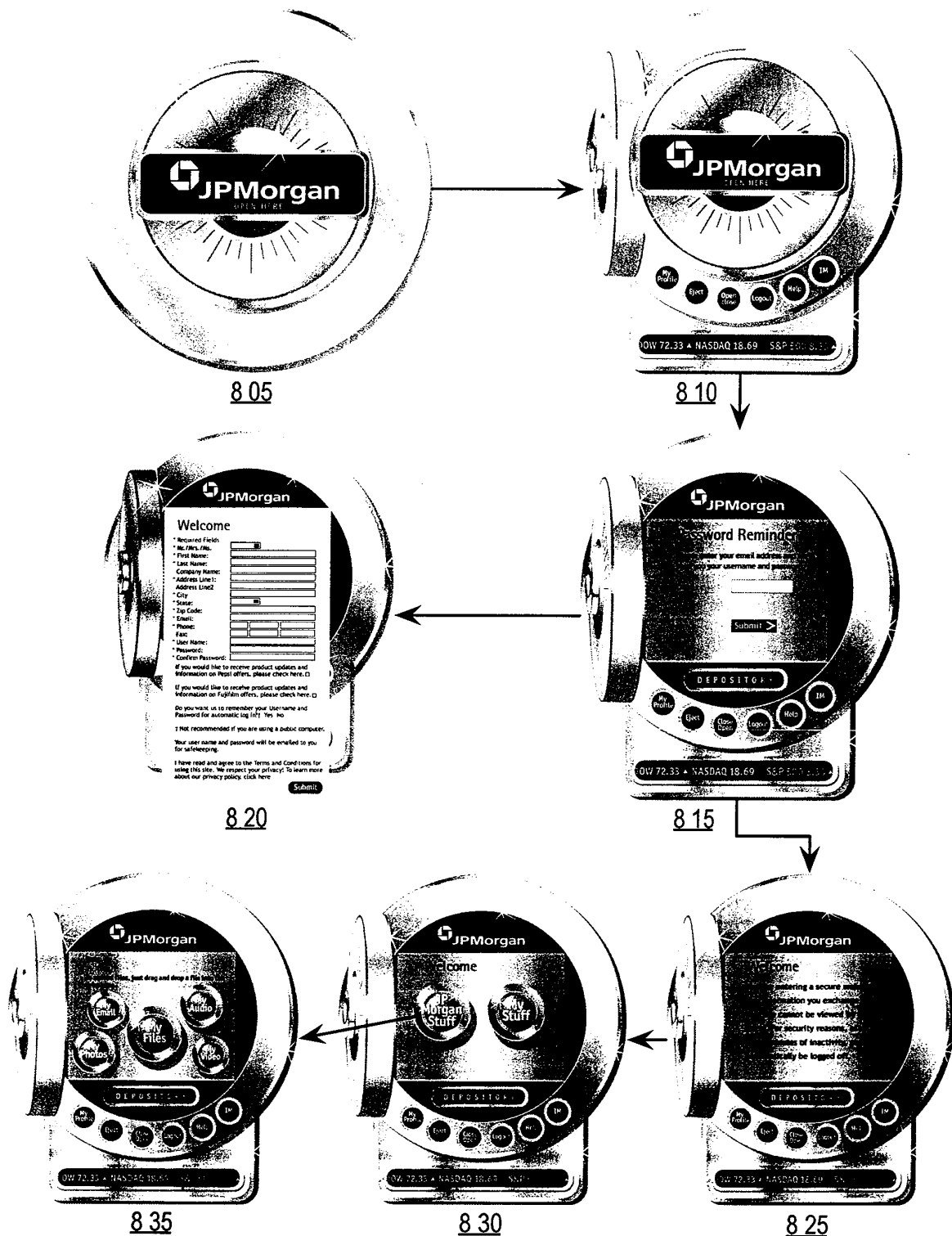


Figure 8

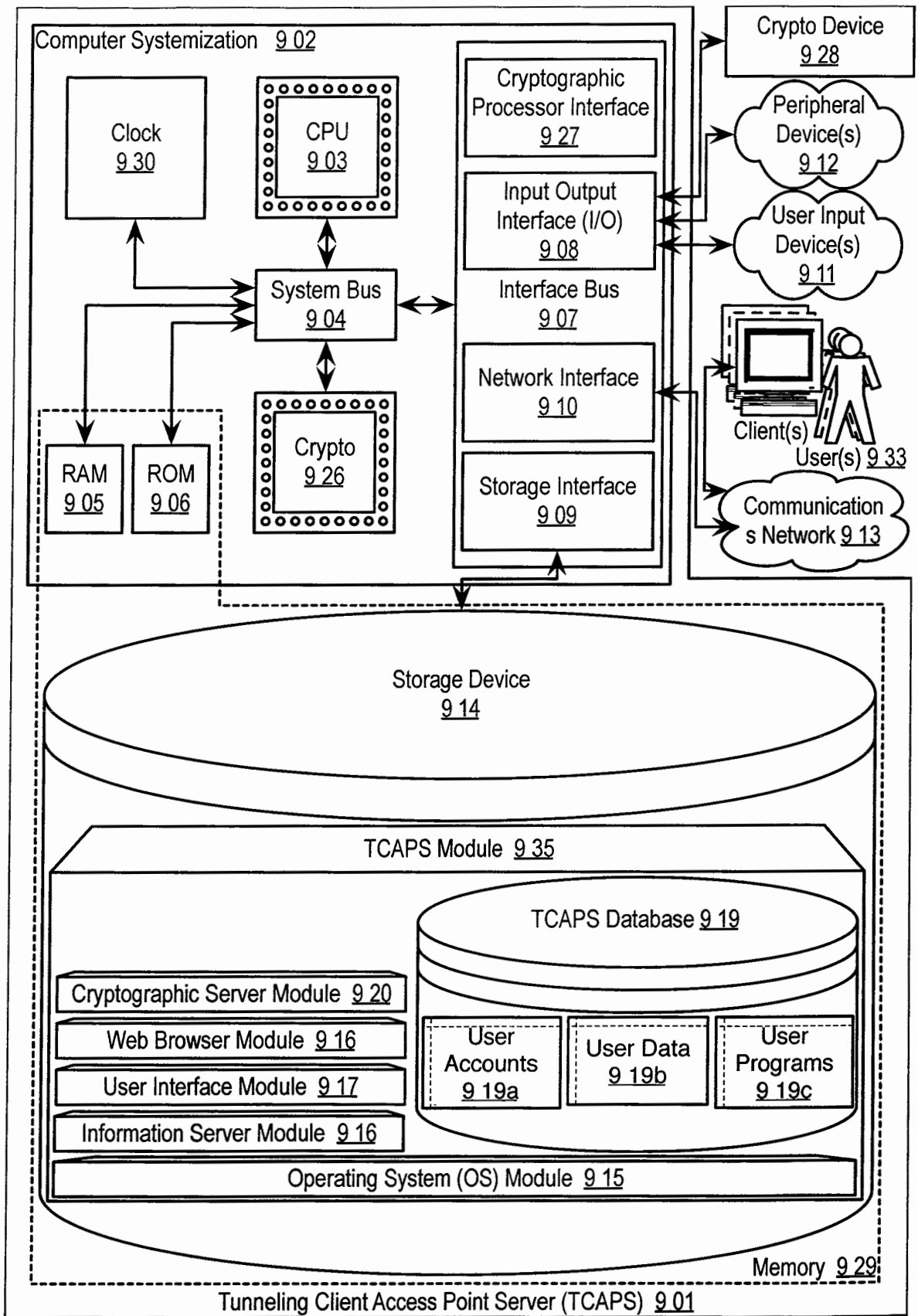


Figure 9

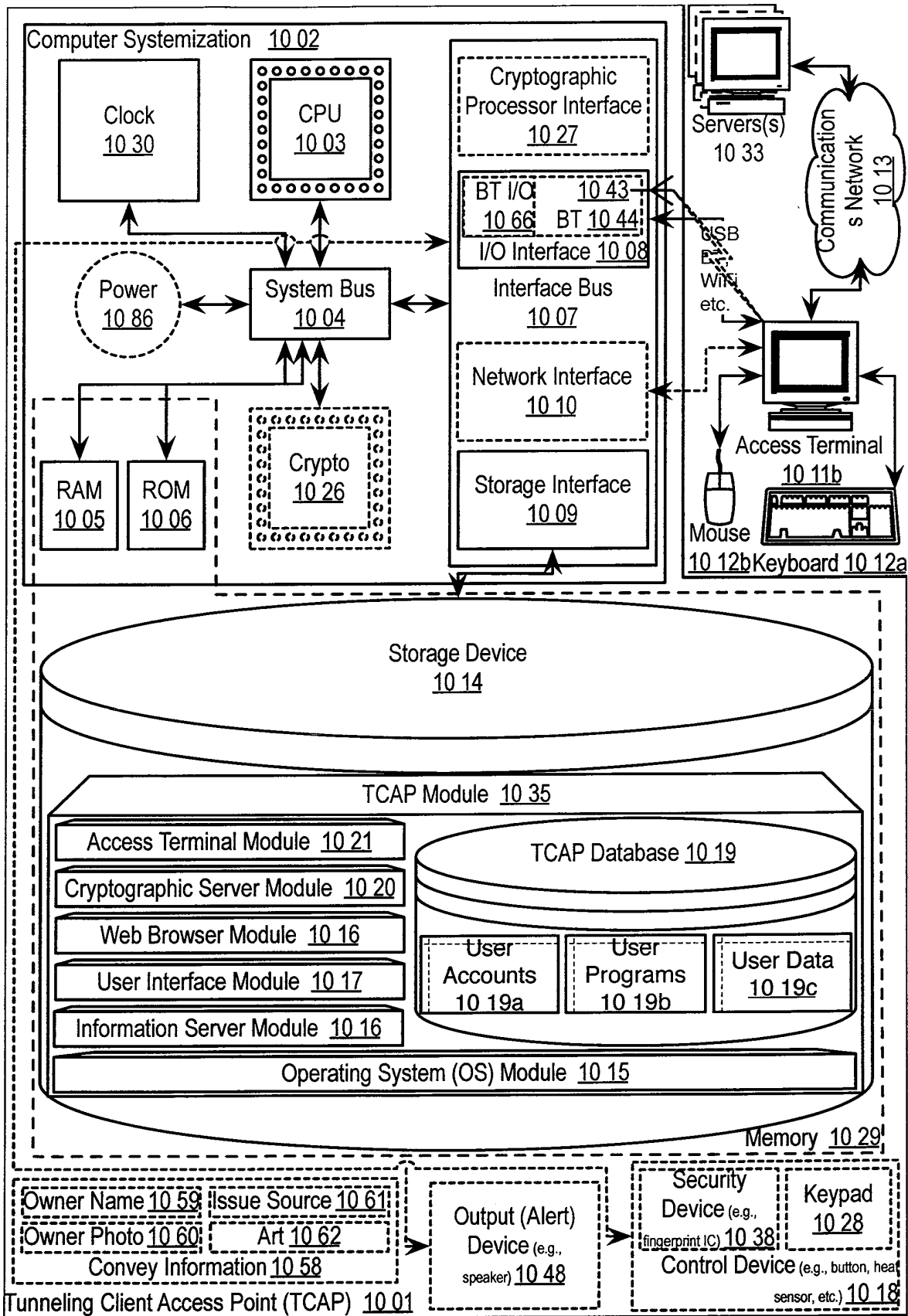


Figure 10

Electronic Patent Application Fee Transmittal

Application Number:				
Filing Date:				
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT			
First Named Inventor/Applicant Name:	SCOTT MCNULTY			
Filer:	Robert Keaney Goethals/Anna Hill			
Attorney Docket Number:	1004294.012US			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	82	82
Utility Search Fee	2111	1	270	270
Utility Examination Fee	2311	1	110	110
Pages:				
Claims:				
Claims in excess of 20	2202	17	26	442
Independent claims in excess of 3	2201	2	110	220
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1124

Electronic Acknowledgement Receipt

EFS ID:	8877799
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	19-NOV-2010
Filing Date:	
Time Stamp:	15:19:24
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1124
RAM confirmation Number	1817
Deposit Account	504827
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	012US_ApplicationDataSheet.pdf	171482 63501ca252ceff2d39521ec832a9249595ed31	no	3
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
2	Transmittal of New Application	012US_ApplicationTransmittal.pdf	163774 c44ecb8bcc75e3b9f4fe5e01905e70a22f0872b5	no	4
Warnings:					
Information:					
3	Oath or Declaration filed	012US_OathDeclaration.pdf	520263 84657914a65d84af1e484e2cbe7cbfeab0b38669	no	9
Warnings:					
Information:					
4	Power of Attorney	PowerofAttorney.pdf	85886 80277dbc638e7e06f5ecff678ad945d41dcad6a	no	1
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Information:					
5		1004294_012US_Continuation Application.pdf	4195334 8c1f4941c6a985d996cc6614c53792a892ee9259	yes	86
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	66	
	Claims		67	74	
	Abstract		75	76	
	Drawings-only black and white line drawings		77	86	
Warnings:					
Information:					
6	Fee Worksheet (PTO-875)	fee-info.pdf	38008 69ecd9c87959d12b36207c40b3f9e904a7ac5c63	no	2
Warnings:					

Information:	
Total Files Size (in bytes):	5174747
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>		

Secrecy Order 37 CFR 5.2

Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Applicant Information:

Applicant 1				
Applicant Authority		<input checked="" type="checkbox"/> Inventor	<input type="checkbox"/> Legal Representative under 35 U.S.C. 117	<input type="checkbox"/> Party of Interest under 35 U.S.C. 118
Prefix	Given Name	Middle Name	Family Name	Suffix
Mr.	Scott		McNulty	
Residence Information (Select One)		<input checked="" type="checkbox"/> US Residency	<input type="checkbox"/> Non US Residency	<input type="checkbox"/> Active US Military Service
City	Rowayton	State/Province	CT	County of Residence
Citizenship under 37 CFR 1.41(b)		US		
Mailing Address of Applicant:				
Address 1	22 Ensign Road			
Address 2				
City	Rowayton	State/Province	CT	
Postal Code	06853	Country	US	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button				

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).

An Address is being provided for the correspondence information of this application.

Customer Number	85775
Email Address	ptopatentcommunication@lockelord.com

Application Information:

Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT		
Attorney Docket Number	1004294.012US	Small Entity Status claimed <input checked="" type="checkbox"/>	
Application Type	Utility		
Subject Matter			
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Publication Information:

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.

Please Select One:	<input checked="" type="checkbox"/> Customer Number	<input type="checkbox"/> US Patent Practitioner	<input type="checkbox"/> Limited recognition (37 CFR 11.9)
Customer Number	85775		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status	Pending		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
10/807,731			2004-03-23

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

Application Number	Country	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Foreign Priority Data may be generated within this form by selecting the Add button.

Assignee Information:

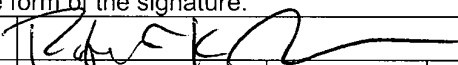
Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

Assignee 1	N/A
------------	-----

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

If the Assignee is an Organization check here <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information:				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee Data may be generated within this form by selecting the Add button.				

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature			Date (YYYY-MM-DD)	2010/11/19	
First Name	Robert	Last Name	Goethals	Registration Number	36,813

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY.DOCKET.NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/950,321, 11/19/2010, 2614, 1124, 1004294.012US, 37, 5

CONFIRMATION NO. 7529

85775
Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

FILING RECEIPT



Date Mailed: 12/10/2010

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

SCOTT MCNULTY, Rowayton, CT;

Power of Attorney: The patent practitioners associated with Customer Number 85775

Domestic Priority data as claimed by applicant

This application is a CON of 10/807,731 03/23/2004 PAT 7,861,006

Foreign Applications

If Required, Foreign Filing License Granted: 12/02/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/950,321

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

Preliminary Class

379

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER**Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

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set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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Table with 4 columns: APPLICATION NUMBER (12/950,321), FILING OR 371(C) DATE (11/19/2010), FIRST NAMED APPLICANT (SCOTT MCNULTY), ATTY. DOCKET NO./TITLE (1004294.012US)

CONFIRMATION NO. 7529

85775
Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

FORMALITIES LETTER



Date Mailed: 12/10/2010

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A replacement abstract not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

Replies should be mailed to:

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Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/anguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number
12/950,321

APPLICATION AS FILED - PART I

(Column 1)		(Column 2)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	82		N/A	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	270		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	110		N/A	
TOTAL CLAIMS (37 CFR 1.16(j))	37	minus 20 = *	17	x 26 =			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	5	minus 3 = *	2	x 110 =			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	1124		TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(j))	*	Minus	**	=		x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x	=
	Application Size Fee (37 CFR 1.16(s))							
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
			TOTAL	ADD'L FEE		TOTAL	ADD'L FEE	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(j))	*	Minus	**	=		x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x	=
	Application Size Fee (37 CFR 1.16(s))							
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
			TOTAL	ADD'L FEE		TOTAL	ADD'L FEE	
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.</p>								



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/950,321	11/19/2010	SCOTT MCNULTY	1004294.012US

CONFIRMATION NO. 7529

POA ACCEPTANCE LETTER



85775
Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

Date Mailed: 12/10/2010

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/19/2010.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/abirhanc/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
Applicant: Scott McNulty Group Art Unit: 2614
Filed: November 19, 2010 Examiner:
Customer No.: 85775

For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

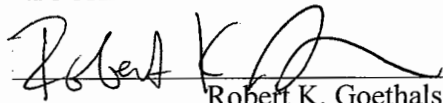
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Notice To File Corrected Application Papers dated December 10, 2010, requiring the submission of a replacement Abstract not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 C.F.R. 1.72(b) and 37 C.F.R. 1.121. Applicant submits herewith on a separate sheet a replacement Abstract. Applicant respectfully requests entry of this replacement Abstract in place of the original Abstract. No new matter has been added by this replacement Abstract.

The Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP



Robert K. Goethals
Registration No. 36,813

Dated: February 10, 2011

Correspondence Address:
Address Associated With Customer Number:
85775

(212) 415-8600 Telephone
(212) 303-2754 Facsimile

NY 639184

ABSTRACT

The disclosure details the implementation of a tunneling client access point (TCAP) that is a highly secure, portable, power efficient storage and data processing device. The TCAP “tunnels” data through an access terminal’s (AT) input/output facilities. In one embodiment, the

5 TCAP connects to an AT and a user employs the AT’s user input peripherals for input, and views the TCAP’s activities on the AT’s display. This enables the user to observe data stored on the TCAP without it being resident on the AT, which can be useful to maintain higher levels of data security. Also, the TCAP may tunnel data through an AT across a communications network to access remote servers. The disclosure also teaches a plug-n-play virtual private network (VPN).

Electronic Acknowledgement Receipt

EFS ID:	9415046
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	10-FEB-2011
Filing Date:	19-NOV-2010
Time Stamp:	11:01:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	1004294012US_Response.pdf	41205 <small>9ccabc564a230e33d37825d39270499829010d30</small>	no	1

Warnings:

Information:

2	Abstract	1004294012US_Replacement_ Abstract.pdf	26331	no	1
Warnings:					
Information:					
Total Files Size (in bytes):				67536	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number
12/950,321

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EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	110		N/A	
TOTAL CLAIMS (37 CFR 1.16(j))	37 minus 20 = *	17	x 26 =	442	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	5 minus 3 = *	2	x 110 =	220			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
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	Total (37 CFR 1.16(j))	* Minus **	**	=	x =	OR	x =	
	Independent (37 CFR 1.16(h))	* Minus ***	***	=	x =	OR	x =	
	Application Size Fee (37 CFR 1.16(s))					OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR		
			TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(j))	* Minus **	**	=	x =	OR	x =	
	Independent (37 CFR 1.16(h))	* Minus ***	***	=	x =	OR	x =	
	Application Size Fee (37 CFR 1.16(s))					OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR		
			TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		

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CONFIRMATION NO. 7529

UPDATED FILING RECEIPT



85775
Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

Date Mailed: 02/24/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

SCOTT MCNULTY, Rowayton, CT;

Power of Attorney: The patent practitioners associated with Customer Number 85775

Domestic Priority data as claimed by applicant

This application is a CON of 10/807,731 03/23/2004 PAT 7,861,006

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If Required, Foreign Filing License Granted: 12/02/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/950,321

Projected Publication Date: 06/02/2011

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

Preliminary Class

379

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes contact info for Locke Lord Bissell & Liddell LLP and examiner details for BILGRAMI, ASGHAR H.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com

Office Action Summary	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	

-- 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 19 November 2010.
- 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) 1-37 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) 1-37 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 19 November 2010 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) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION***Double Patenting***

1. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1, 25, 29, 30 and 34 of instant application are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 159, 171, 178 and 182 of U.S. Patent No. (7861006). Although the conflicting

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claims are not identical, they are not patentably distinct from each other because claims 159, 171, 178 and 182 of Patent No. (7861006) contains every element of claim 1, 25, 29, 30 and 34 of the instant application and thus obvious variant of the instant application. This is because, it would have been obvious to one in the in ordinary skill in the art to have the portable device/method implemented on a portable device/instructions on a non-transitory medium executed by a computer comprising portable device of the instant application to have performed the teachings of the potable tunneling storage and processing apparatus/method implemented on a portable apparatus/instructions on a non-transitory medium executed by a computer system comprising portable device as described in Patent No. (7861006) . Claim(s) of the instant application therefore is/are not patently distinct from the earlier patent claim(s) and as such is/are unpatentable over obvious-type double patenting.

"A later patent claim is not patentably distinct from an earlier patent claim if the later claim is obvious over, or anticipated by, the earlier claim. In re Lon,qi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); In re Ber q, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming a holding of obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus)." ELI LILLY AND COMPANY v BARR LABORATORIES, INC., United States Court of Appeals for the Federal Court, ON PETITION FOR REHEARING EN BANC (DECIDED: May 30, 2001).

Claim Mapping:

3. Claim 1 of instant application and claim 159 of Patent No. (7861006) are mapped below.

Instant Application	Patent No. (7861006)
<p>A portable device, comprising:</p> <p>(a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface;</p> <p>(b) a processor; and</p> <p>(c) a memory having a plurality of processing instructions stored thereon, including:</p> <p>(1) a first set of processing instructions, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;</p> <p>(2) at least one processing instruction which when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to</p> <p>cause the portable device processor to execute a set of processing instructions stored on the portable device memory; and</p>	<p>A portable tunneling storage and processing apparatus, comprising:</p> <p>(a) a conduit for external communications configured to enable the transmission of a plurality of communications between the portable apparatus and a terminal comprising a terminal processor, a first input component, a first output component comprising a display device, and a network interface configured to enable the terminal to communicate with at least one network server, wherein the conduit for external communications is a universal serial bus conduit;</p> <p>(b) a processor; and</p> <p>(c) a memory configured to communicate with the portable apparatus processor, wherein the memory has a unique apparatus identifier and a plurality of processing instructions stored thereon, including:</p> <p>(1) a first set of processing instructions, which when executed by the terminal processor, enables a user to employ the first input component and the terminal display device to interact with the portable apparatus and provides the portable apparatus with access to the terminal network interface;</p> <p>(2) at least one processing instruction, which when executed, causes an interactive user interface to be presented on the terminal display device, wherein the interactive user interface is configured to enable the user to:</p> <p>(i) cause the portable apparatus processor to execute a set of processing instructions stored on the portable apparatus memory; and</p>

<p>(3) a second set of processing instructions, which when executed by the portable device processor in response to user interaction with the interactive user interface, causes the portable device to transmit a communication to a communication network node;</p> <p>wherein the portable device is configured to effect the display of processing activity of the second set of processing instructions on the first output component; and</p> <p>wherein the portable device is configured to communicate with the terminal and to communicate through the terminal network interface with the communication network node.</p>	<p>(ii) cause the portable apparatus to transmit a request to access a server; and</p> <p>(3) at least one processing instruction, which when executed by the portable apparatus processor in response to receiving a command resulting from user interaction with the interactive user interface,</p> <p>(i) causes the portable apparatus processor to execute a second set of processing instructions stored on the portable apparatus memory and effect the display of processing activity of the second set of processing instructions on the terminal display device, and</p> <p>(ii) causes the portable apparatus to transmit a request to access a server; wherein the portable apparatus is configured to communicate with the terminal and to communicate through the terminal network interface with a server, and</p> <p>wherein the portable apparatus processor is configured to facilitate the storage of encrypted data on the portable apparatus memory, encrypt communications transmitted by the portable apparatus, and decrypt encrypted communications received by the portable apparatus.</p>
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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-10, 12-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Jorgensen et al (U.S. 7,103,772 B2).

6. As per claims 1, 25, 29, 30 and 34 Jorgensen disclosed a portable device/method implemented on a portable device comprising a processor/ non-transitory medium containing processing instructions executed by a computer comprising a portable device (col.15, lines 23-34) {"Intelligent Data carrier" (USB Key) is the portable device that is capable of storing digital information and a processor capable of processing the digital information that is stored thereon}, comprising: (a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface; (b) a processor; and (c) a memory having a plurality of processing instructions stored thereon (col.15, lines 23-34), including: (1) a first set of processing instructions, which

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when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface (col.17, lines 59-67 and col.18,lines 1-14) {Intelligent Data carrier" (USB Key) having preloaded licensed applications stored thereon is inserted to a computer and the computer is connected to the internet. The computer user launches the application off the USB key upon proper authentication by the server}; (2) at least one processing instruction which when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute a set of processing instructions stored on the portable device memory (col.17, lines 59-67 and col.18,lines 1-14); and (3) a second set of processing instructions, which when executed by the portable device processor in response to user interaction with the interactive user interface, causes the portable device to transmit a communication to a communication network node (col.17, lines 59-67 and col.18,lines 1-14) {User launches the authentication session from the USB key to get authorization/authentication form the server. Upon authentication by the server off the USB key user launches the application stored on the USB key}; wherein the portable device is configured to effect the display of processing activity of the second set of processing instructions on the first output component; and wherein the portable device is configured to communicate with the terminal and to communicate through the terminal network interface with the communication network node (col.17,

lines 59-67 and col.18, lines 1-14).

7. As per claim 2 Jorgensen disclosed the portable device of claim 1, wherein the external communication interface is a universal serial bus interface (col.15, lines 23-34).

8. As per claim 3 Jorgensen disclosed the portable device of claim 1, wherein the external communication interface is a wireless communication interface (col.8, lines 23-29).

9. As per claim 4 Jorgensen disclosed the portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol (col.17, lines 28-33).

10. As per claim 5 Jorgensen disclosed the portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol (col.17, lines 28-33).

11. As per claim 6 Jorgensen disclosed the portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like (col.17, lines 4-22).

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12. As per claim 7 Jorgensen disclosed the portable device of claim 1, wherein the communication network comprises a local area network (col.13, lines 18-23).

13. As per claim 8 Jorgensen disclosed the portable device of claim 7, wherein the communication network node comprises a server (col.17, lines 59-67 and col.18, lines 1-14).

14. As per claim 9 Jorgensen disclosed the portable device of claim 7, wherein the communication network node comprises a data storage system (col.17, lines 59-67 and col.18, lines 1-14).

15. As per claim 10 Jorgensen disclosed the portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks (col.16, lines 3-15).

16. As per claim 12 Jorgensen disclosed the portable device of claim 7, wherein the communication network comprises a wireless local area network (col.8, lines 23-29 and col.13, lines 18-23).

17. As per claim 13 Jorgensen disclosed the portable device of claim 1, wherein the communication network comprises a wide area network (col.13, lines 38-51).

18. As per claim 14 Jorgensen disclosed the portable device of claim 1, wherein the communication network comprises the Internet (col.17, lines 59-67 and col.18, lines 1-14).

19. As per claim 15 Jorgensen disclosed the portable device of claim 14, wherein the communication network node comprises a server (col.17, lines 59-67 and col.18, lines 1-14).

20. As per claim 16 Jorgensen disclosed the portable device of claim 14, wherein the communication network node comprises a data storage system (col.17, lines 59-67 and col.18, lines 1-14).

21. As per claim 17 Jorgensen disclosed the portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks (col.16, lines 3-15).

22. As per claim 18 Jorgensen disclosed the portable device of claim 14, wherein the communication network node comprises an intermediary node (col.21, lines 39-48).

23. As per claim 19 Jorgensen disclosed the portable device of claim 18, wherein the intermediary node comprises a router (col.30, lines 24-28).

24. As per claim 20 Jorgensen disclosed the portable device of claim 1, wherein the communication network comprises a wireless network (col.8, lines 23-29).

25. As per claim 21 Jorgensen disclosed the portable device of 1, wherein the at least one processing instruction, which when executed causes the interactive user interface to be presented on the first output component, comprises a third set of processing instructions (col.17, lines 59-67 and col.18, lines 1-14).

26. As per claim 22 Jorgensen disclosed the portable device of claim 21, wherein the third set of processing instructions is configured to be executed by the portable device processor (col.15, lines 23-34)

27. As per claim 23 Jorgensen disclosed the portable device of claim 21, wherein the third set of processing instructions is configured to be executed by the terminal processor (col.17, lines 59-67 and col.18, lines 1-14).

28. As per claim 24 Jorgensen disclosed the portable device of claim 1, wherein the first output component comprises a display device (col.27, lines 35-42).

29. As per claim 26 Jorgensen disclosed the method of claim 25, wherein the at least one processing instruction stored on the portable device memory to cause an interactive user interface to be presented on the first output component comprises a third set of processing instructions stored on the portable device memory (col.17, lines 59-67 and col.18, lines 1-14).

30. As per claim 27 Jorgensen disclosed the method of claim 26, further comprising executing the third set of processing instructions on the portable device processor (col.17, lines 59-67 and col.18, lines 1-14).

31. As per claim 28 Jorgensen disclosed the method of claim 26, further comprising executing the third set of processing instructions on the terminal processor (col.17, lines 59-67 and col.18, lines 1-14).

32. As per claim 31 Jorgensen disclosed the non-transitory computer readable medium of claim 30, wherein the at least one processing instruction, which when executed causes an interactive user interface to be presented on the first output component comprises a third set of processing instructions (col.17, lines 59-67 and col.18, lines 1-14).

33. As per claim 32 Jorgensen disclosed the non-transitory computer readable medium of claim 31, wherein the third set of processing instructions is configured to be

executed by the portable device processor (col.17, lines 59-67 and col.18, lines 1-14).

34. As per claim 33 Jorgensen disclosed the non-transitory computer readable medium of claim 31, wherein the third set of processing instructions is configured to be executed by the terminal processor (col.17, lines 59-67 and col.18, lines 1-14).

35. As per claim 35 Jorgensen disclosed the system of claim 34, wherein the at least one processing instruction, which when executed causes an interactive user interface to be presented on the first output component, comprises a third set of processing instructions (col.17, lines 59-67 and col.18, lines 1-14).

36. As per claim 36 Jorgensen disclosed the system of claim 35, wherein the portable device is configured to provide the terminal with access to the third set of processing instructions (col.17, lines 59-67 and col.18, lines 1-14).

37. As per claim 37 Jorgensen disclosed the system of claim 35, wherein the portable device is configured to execute the third set of processing instructions (col.17, lines 59-67 and col.18, lines 1-14).

Claim Rejections - 35 USC § 103

38. 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.

39. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jorgensen et al (U.S. 7,103,772 B2) and Baird, III et al (U.S. 6,732,278 B2).

40. As per claim 11 Jorgensen disclosed the portable device of claim 7. However Jorgensen did not explicitly disclosed wherein the communication network node comprises a printer. In the same field of endeavor Baird, III disclosed wherein the communication network node comprises a printer (col.3, lines 65-67 and col.4, lines 1-2).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated the network node as being the printer as disclosed by Baird, III in the local area network disclosed by Jorgensen in order to facilitate the printing of information resulting in a portable device that is versatile and user friendly.

Conclusion

41. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is indicated in PTO form 892.

Applicant's future amendments need to comply with the requirements of MPEP § 714.02, MPEP § 2163.04 and MPEP § 2163.06.

"with respect to newly added or amended claims, applicant should show support in the original disclosure for the new or amended claims." See MPEP § 714.02 and § 2163.06 ("Applicant should * * * specifically point out the support for any amendments made to the disclosure."); and MPEP § 2163.04 ("If applicant amends the claims and points out where and/or how the originally filed disclosure supports the amendment(s), and the examiner finds that the disclosure does not reasonably convey that the inventor had possession of the subject matter of the amendment at the time of the filing of the application, the examiner has the initial burden of presenting evidence or reasoning to explain why persons skilled in the art would not recognize in the disclosure a description of the invention defined by the claims."). See *In re Smith*, 458 F.2d 1389, 1395, 173 USPQ 679, 683 (CCPA 1972) *In re Wertheim*, 541 F.2d at 262, 191 USPQ at 96 (emphasis added).

"The use of a confusing variety of terms for the same thing should not be permitted.

New claims and amendments to the claims already in the application should be scrutinized not only for new matter but also for new terminology. While an applicant is not limited to the nomenclature used in the application as filed, he or she should make appropriate amendment of the specification whenever this nomenclature is departed from by amendment of the claims so as to have clear support or antecedent basis in the specification for the new terms appearing in the claims. This is necessary in order to insure certainty in construing the claims in the light of the specification." *Ex parte Kotler*, 1901 C.D. 62, 95 O.G. 2684 (Comm'r Pat. 1901). See 37 CFR 1.75, MPEP § 608.01 (i) and § 1302.01.

Note that examiners should ensure that the terms and phrases used in claims presented late in prosecution of the application (including claims amended via an examiner's amendment) find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description, see 37 CFR 1.75(d)(1). If the examiner determines that the claims presented late in prosecution do not comply with 37 CFR 1.75(d)(1), applicant will be required to make appropriate amendment to the description to

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provide clear support or antecedent basis for the terms appearing in the claims provided no new matter is introduced."

"USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure." In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997). MPEP § 2106. "

The examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider each of the cited references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asghar Bilgrami/

Examiner, Art Unit 2443

Notice of References Cited	Application/Control No. 12/950,321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-7,103,772 B2	09-2006	Jorgensen et al.	713/168
*	B US-6,732,278 B2	05-2004	Baird et al.	726/7
*	C US-7,762,470 B2	07-2010	Finn et al.	235/492
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S85	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S86	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S87	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S88	3	709/220.ccls. and (portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S89	60711	(client or user) same (access) with (point)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S90	739	(client or user) same (access) with (point) same (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S91	67	(client or user) same (access) with (point) same (USB) same (secure or encrypt\$3) and (portable or mobile or handheld or palm)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S92	11	(client or user) same (access) with (point) same (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S93	110	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

S94	2	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3) and @ay<"2004,03,24"	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S95	14586	(remote) same (access) same (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S96	7718	(remote) same (access) near4 (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S97	15	(remote) same (access) near4 (point) same (device or module) same (USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S98	460	(remote) same (access) near4 (point) same (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S99	13	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S100	6	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S101	1128	(client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S102	116	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S103	53	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

S104	6	709/250.ccls. and (client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S105	16	709/250.ccls. and (access) near4 (point) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S106	16	709/250.ccls. and (access) near4 (point) same (portable or pluggable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S107	70	709/250.ccls. and (access) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S108	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S109	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S110	105595	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S111	1003623	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S112	1206	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S113	1831	(portable) with (security or secure) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S114	339	(portable) near4 (security or secure) near4 (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

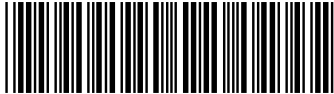
S115	1527	(portable) with (security or secure) with (key) same (terminal or system or device)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S116	260	(portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S117	13	(portable) with (security or secure) with (key) with (terminal or system or device) with (access) and (thumb)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S118	0	("2007/0170239").URPN.	USPAT	OR	ON	2011/05/05 19:59
S119	260	(portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S120	119	(portable) with (security or secure) with (key) with (terminal or system or device) with (access) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S121	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S122	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S123	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S124	7	"861133".ap.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

S125	0	portable.clm. and tunneling.clm. and storage.clm. and processing.clm. and "input.clm" and component.clm. and universal.clm. and serial.clm. and bus.clm. and memory.clm. and instructions.clm. and terminal.clm. and interactive.clm. and command.clm. and "display.clm" and server.clm. and "encrypt.clm" and decrypt.clm.	US-PGPUB; USPAT	OR	ON	2011/05/05 19:59
S126	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S127	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S128	2	"7454783".pn.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S129	13045	(USB) same (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S130	6703	(USB) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S131	480	(USB) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S132	24	(USB) with (security) with (key) with (network) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:08
S133	8	(USB) with (security) with (key) with (network) with (access) and printer	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/06 11:16

S134	23	("5363369" "6332193" "6405203" "6732278" "6839353").PN. OR ("7103772").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/05/06 11:18
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5/ 6/ 2011 2:24:16 PM

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Index of Claims 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
Final	Original	05/06/2011									
	1	✓									
	2	✓									
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	34	✓									
	35	✓									
	36	✓									

<i>Index of Claims</i> 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
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Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	05/06/2011							
	37	✓							

Search Notes 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

SEARCHED			
Class	Subclass	Date	Examiner
709	250, 220	5/5/2011	AB
713	150	5/5/2011	AB

SEARCH NOTES		
Search Notes	Date	Examiner
U.S.PAT, PG-PUB, EPO	5/5/2011	AB
Inventor Name search	5/5/2011	AB
Assignee search	5/5/2011	AB
Double Patenting search	5/5/2011	AB
101 Compliance search	5/5/2011	AB

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/ASGHAR BILGRAMI/ Examiner.Art Unit 2443	
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Table with 4 columns: APPLICATION NUMBER (12/950,321), FILING OR 371(C) DATE (11/19/2010), FIRST NAMED APPLICANT (SCOTT MCNULTY), ATTY. DOCKET NO./TITLE (1004294.012US)

CONFIRMATION NO. 7529

PUBLICATION NOTICE



85775
Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

Title: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

Publication No. US-2011-0131292-A1

Publication Date: 06/02/2011

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes details for application 12/950,321 filed 11/19/2010 by SCOTT MCNULTY, attorney 1004294.012US, examiner BILGRAMI, ASGHAR H, art unit 2443, and notification date 08/11/2011.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com

Interview Summary	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	

All participants (applicant, applicant's representative, PTO personnel):

- (1) ASGHAR BILGRAMI. (3) Mr. McNulty (inventor).
(2) Robert K. Goethals(36.813). (4) _____.

Date of Interview: 04 August 2011.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant and his representative explained the claimed invention and pointed out that prior art failed to disclose the invention as claimed. Examiner advised the applicant to incorporate the teachings of dependent claims 21-23 into all the independent claims that will specify the portable device as the source that causes the interface to be presented. No agreement was reached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Asghar Bilgrami/
Examiner, Art Unit 2443

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	12/950,321	Confirmation No.:	7529
Applicant:	Scott McNulty	Group Art Unit:	2614
		Examiner:	Asghar H. Bilgrami
Filed:	November 19, 2010	Customer No.:	85775

For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

RESPONSE TO OFFICE ACTION

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

Sir:

Responsive to the Office Action issued on May 12, 2011, Applicant hereby requests reconsideration in view of the following remarks.

Claims begin on page **2** of this paper.

Remarks/Arguments begin on page **10** of this paper.

Listing of Claims

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

Claim 1 (currently amended): A portable device, comprising:

(a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface;

(b) a processor; and

(c) a memory having executable program code ~~a plurality of processing instructions~~ stored thereon, including:

~~(1) a first set of processing instructions, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;~~

~~(1)(2) first program code at least one processing instruction, which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code a set of processing instructions stored on the portable device memory; and~~

~~(2) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node; and~~

~~(3) third program code a second set of processing instructions, which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes ~~the portable device to transmit~~ a communication to be transmitted to a communications network node;~~

wherein the portable device is configured to effect the display on the first output component of processing activity of ~~the second set of processing instructions~~ program code stored on the portable device memory ~~on the first output component~~; and

wherein the portable device is configured to communicate with the terminal and to communicate through the terminal network interface with the communications network node.

Claim 2 (original): The portable device of claim 1, wherein the external communication interface is a universal serial bus interface.

Claim 3 (original): The portable device of claim 1, wherein the external communication interface is a wireless communication interface.

Claim 4 (original): The portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol.

Claim 5 (original): The portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol.

Claim 6 (original): The portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like.

Claim 7 (currently amended): The portable device of claim 1, wherein the communications network comprises a local area network.

Claim 8 (currently amended): The portable device of claim 7, wherein the communications network node comprises a server.

Claim 9 (currently amended): The portable device of claim 7, wherein the communications network node comprises a data storage system.

Claim 10 (original): The portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks.

Claim 11 (currently amended): The portable device of claim 7, wherein the communications network node comprises a printer.

Claim 12 (currently amended): The portable device of claim 7, wherein the communications network comprises a wireless local area network.

Claim 13 (currently amended): The portable device of claim 1, wherein the communications network comprises a wide area network.

Claim 14 (currently amended): The portable device of claim 1, wherein the communications network comprises the Internet.

Claim 15 (currently amended): The portable device of claim 14, wherein the communications network node comprises a server.

Claim 16 (currently amended): The portable device of claim 14, wherein the communications network node comprises a data storage system.

Claim 17 (original): The portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks.

Claim 18 (currently amended): The portable device of claim 14, wherein the communications network node comprises an intermediary node.

Claim 19 (original): The portable device of claim 18, wherein the intermediary node comprises a router.

Claim 20 (currently amended): The portable device of claim 1, wherein the communications network comprises a wireless network.

Claim 21 (canceled).

Claim 22 (currently amended): The portable device of claim ~~1~~ 21, wherein the first program code ~~third set of processing instructions~~ is configured to be executed by the portable device processor.

Claim 23 (currently amended): The portable device of claim ~~1~~ 21, wherein the first program code ~~third set of processing instructions~~ is configured to be executed by the terminal processor.

Claim 24 (original): The portable device of claim 1, wherein the first output component comprises a display device.

Claim 25 (currently amended): A method implemented on a portable device comprising a processor, a memory having executable program code ~~a plurality of processing instructions~~ stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

(a) ~~providing the terminal with access to a first set of processing instructions stored on the portable device memory, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;~~

~~(a)(b) executing first program code at least one processing instruction stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code a second set of ~~processing instructions~~ stored on the portable device memory;~~

~~(b) executing second program code stored on the portable device memory to enable the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;~~

(c) executing third processing code ~~a second set of processing instructions~~ stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;

(d) causing ~~transmitting~~ a communication to be transmitted to a communications network node; and

(e) effecting the display on the first output component of processing activity of the second set of processing instructions on the first output component program code stored on the portable device memory.

Claim 26 (canceled).

Claim 27 (currently amended): The method of claim ~~25~~ 26, ~~further comprising executing the third set of processing instructions on the portable device processor~~ wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component.

Claim 28 (canceled).

Claim 29 (currently amended): A method implemented on a portable device comprising a processor, a memory having executable program code ~~a plurality of processing instructions~~ stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

(a) ~~providing the terminal with access to a first set of processing instructions stored on the portable device memory, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;~~

(a)(b) providing the terminal with access to first program code ~~a second set of processing instructions~~ stored on the portable device memory[[,]] which, when executed by the terminal processor, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code ~~a third set of processing instructions~~ stored on the portable device memory;

(b) providing the terminal with access to second program code stored on the portable device memory which, when executed by the terminal processor, enables the portable device to (i) receive a communication resulting from user interaction with the interactive

user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

(c) ~~executing third program code a third set of processing instructions stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;~~

(d) ~~causing transmitting a communication to be transmitted to a communications network node; and~~

(e) ~~effecting the display on the first output component of processing activity of the third set of processing instructions on the first output component program code stored on the portable device memory.~~

Claim 30 (currently amended): A non-transitory computer readable medium containing executable program code ~~a plurality of processing instructions~~ to be executed by a computer system comprising a portable device and a terminal, the portable device comprising an external communications interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, and the terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the program code ~~plurality of processing instructions~~ comprising:

(a) ~~— a first set of processing instructions, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;~~

(a)(b) first program code ~~at least one processing instructions~~, which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code ~~a set of processing instructions~~ stored on the portable device memory; ~~and~~

(b) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

(c) third program code ~~a second set of processing instructions~~, which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes ~~the portable device to transmit a communication to~~ be transmitted to a communication network node.

Claim 31 (canceled).

Claim 32 (currently amended): The non-transitory computer readable medium of claim 30 ~~31~~, wherein the first program code ~~third set of processing instructions~~ is configured to be executed by the portable device processor.

Claim 33 (currently amended): The non-transitory computer readable medium of claim 30 ~~31~~, wherein the first program code ~~third set of processing instructions~~ is configured to be executed by the terminal processor.

Claim 34 (currently amended): A system implementing a terminal having a terminal processor, a first input device, a first output device, and a network interface, the system comprising:

- (a) a communications network node; and
- (b) a portable device comprising an external communication interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, wherein the memory has executable program code ~~a plurality of processing instructions~~ stored thereon, the portable device configured to:
 - (1) ~~provide the terminal with access to a first set of processing instructions stored on the portable device memory, which when executed by the terminal processor, enables a user to employ the first input component and the first output component to interact with the portable device and provides the portable device with access to the terminal network interface;~~
 - (1)(2) execute first program code ~~at least one processing instruction~~ stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to

enable the user to cause the portable device processor to execute program code a ~~second set of processing instructions~~ stored on the portable device memory;

(2) ~~provide the terminal with access to second program code stored on the portable device memory which, when executed by the terminal processor, enables the portable device to~~ (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

(3) execute third program code a ~~second set of processing instructions~~ stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;

(4) ~~cause transmit~~ a communication to be transmitted to the communication network node; and

(5) effect the display on the first output component of processing activity of ~~the second set of processing instructions on the first output component~~ program code stored on the portable device memory.

Claim 35 (canceled).

Claim 36 (currently amended): The system of claim 35, wherein ~~the portable device is configured to provide the terminal with access to the third set of processing instructions~~ executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component.

Claim 37 (canceled).

REMARKS

I. Status Of The Claims

Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are pending in the present application. Claims 1, 7-9, 11-16, 18, 20, 22-23, 25, 27, 29, 30, 32-34 and 36 have been amended and claims 21, 26, 28, 31, 35 and 37 have been canceled. No new matter has been added by the claim amendments.

Claims 1, 25, 29, 30 and 34 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 7,861,006. Claims 1-10 and 12-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Jorgensen et al. U.S. Patent No. 7,103,772 (“Jorgensen”). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jorgensen in view of Baird III et al. U.S. Patent No. 6,732,278 (“Baird”). Reconsideration of the application and claims in light of the following remarks is requested.

Applicant and applicant’s attorney wish to thank the Examiner for the courtesy of conducting an Examiner Interview on August 4, 2011. At the Examiner’s suggestion, applicant has amended the independent claims to encompass the subject matter of dependent claim 20 (now canceled) and has amended claims 22 and 23 to depend from independent claim 1. Applicant also submits that all of the pending claims specify that the “first program code” is stored on the portable device memory and when executed, “causes an interactive user interface to be presented on the first output component.”

Applicant has also amended the independent claims to clarify the relationship between the “first program code,” “second program code” and “third program code” stored on the portable device memory. As mentioned above, the “first program code,” when executed, “causes an interactive user interface to be presented on the first output component.” The “second

program code,” when executed, enables the portable device to, *inter alia*, “receive a communication resulting from user interaction with the interactive user interface” caused to be presented by the execution of the “first program code.” The “third program code” is program code stored on the portable device memory that is executed by the portable device “in response to a communication received by the portable device resulting from user interaction with the interactive user interface” caused to be presented by the execution of the “first program code.”

II. Response to Double Patenting Rejection

Claims 1, 25, 29, 30 and 34 are rejected under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 7,861,006. Applicant submits herewith a terminal disclaimer to disclaim the terminal part of any patent that may issue from the present application to the extent such term would extend beyond the term of U.S. Patent No. 7,861,006. Accordingly, applicant respectfully submits that this rejection has been rendered moot.

III. Response to Rejections under 35 U.S.C. §102(e)

Claims 1-10 and 12-37 are rejected under 35 U.S.C. §102(e) as being anticipated by Jorgensen. Applicant respectfully traverses these rejections and submits that claims 1-10 and 12-37 are patentably distinct over the cited prior art for the reasons provided below.

A. Claims 1, 25, 29, 30 And 34

Applicant respectfully submits that Jorgensen fails to disclose, teach or suggest the functionality and interactivity of the invention recited in the pending claims. Specifically, Jorgensen fails to disclose, teach or suggest a device according to claim 1, methods implemented on a device according to claims 25 and 29, non-transitory computer readable medium according to claim 30, or system according to claim 34 having (1) “first program code which, when executed, causes an interactive user interface to be presented on the first output device,” (2) “second program code which, when executed, enables the portable device to (i) receive a

communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node” or (3) “third program code which, when executed by the portable device in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be sent to a communications network node.”

Jorgensen discloses a portable application delivery scheme having a server-based authentication system that is “transparent” to the user. Consistent with the transparent nature of this authentication system, Jorgensen fails to disclose, teach or suggest the an interactive user interface or, for that matter, program code stored on the portable storage device which, when executed, causes an interactive user interface to be presented as called for in the pending claims. It also necessarily follows that, absent the execution of such first program code to cause the presentation of the interactive user interface, Jorgensen fails to disclose, teach or suggest the “second program code” and “third program code” recited in the pending claims.

Further, Jorgensen discloses that, upon successful completion of this transparent authentication process, the Intelligent Data Carrier simply functions as a conventional portable storage device. Jorgensen states that the user may access “preloaded licensed applications” stored on the portable storage device and launch these applications for execution on a host computer. For example, Jorgensen states that the preloaded applications may be “standalone applications or operating systems” that are “read only and copy protected” such that “the user may use the IDC to boot a host system that does not have an operating system” and access “preloaded applications on the IDC.” Col. 18, lns. 16-22. Similarly, Jorgensen states that the preloaded applications may be “large software applications and valuable proprietary IT tools, such as specialized database applications, data analysis tools, and various Customer Relation Management (CRM) and Enterprise Resource Planning (ERP) packages, among other things.”

Col. 18, lns. 41-45. Jorgensen explains that this portable application delivery scheme may be used in place of “existing software licensing schemes – e.g., enterprise licenses and floating licenses – for computer software applications.” Col. 18, lns. 50-52.

With regard to this portable application delivery scheme, Jorgensen fails to disclose, teach or suggest “first program code” stored on a portable device which, when executed, causes an interactive user interface to be presented on the terminal output component. In addition, Jorgensen fails to disclose, teach or suggest a portable device having a “second program code” which enables the portable device to receive a communication resulting from user interaction with such an interactive user interface, or a “third program code” executed by the portable device processor in response to a communication resulting from user interaction with such an interactive user interface.

Applicant further traverses this rejection on the grounds that Jorgensen fails to disclose, teach or suggest a portable device which effects the display on the terminal output device of processing activity of program code stored on the portable device memory. To the contrary, as noted above, Jorgensen repeatedly states that the authentication process cited by the Examiner as corresponding to the second set of processing instructions executed by the Intelligent Data Carrier is “transparent” to the user. This is consistent with the fact that the authentication process cited by the Examiner is server-side a “device” or “hardware” authentication process with regard to the Intelligent Data Carrier. Accordingly, for at least these reasons, applicant respectfully submits that claims 1, 25, 29, 30 and 34 are patentably distinct over Jorgensen.

B. Claims 2-10, 12-24, 26-28, 31-33 And 35-37

Because claims 2-10, 12-20, 22-24, 27, 32-33 and 36 depend from independent claims 1, 25, 30 and 34, applicant respectfully submits that these claims are also patentably distinct over Jorgensen for at least the same reasons provided above.¹

IV. Response to Rejection under 35 U.S.C. §103(a)

Claim 11 is rejected under 35 U.S.C. §103 as being unpatentable over Jorgensen in view of Baird. Because claim 11 depends from independent claim 1, applicant respectfully submits that this claim is also patentably distinct over Jorgensen in view of Baird for at least the reasons provided above.

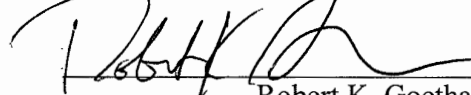
CONCLUSION

Based on the foregoing remarks it is respectfully submitted that all of the claims are allowable and early, favorable action in that regard is requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP



Robert K. Goethals
Registration No. 36,813

Dated: September 12, 2011

Correspondence Address:
Address Associated With Customer Number:
85775

(212) 415-8600 Telephone
(212) 303-2754 Facsimile

¹ Applicant respectfully submits that the rejections of claims 21, 26, 28, 31, 35 and 37 are rendered moot by the cancelation of these claims.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
Applicant(s): Scott McNulty Group Art Unit: 2614
Examiner: Asghar H. BILGRAMI
Filed: November 19, 2010 Customer No.: 85775
For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS
POINT

**TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(C)
TO OBVIATE PROVISIONAL DOUBLE PATENTING REJECTION**

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

Sir:

Identity of Patent Owner

The petitioner, Scott McNulty, having a residence address at 22 Ensign Road, Rowayton, CT 06853 is the sole inventor and owner of the entire right, title and interest in the above-identified application, Serial No. 12/950,321. The petitioner is also the owner of the entire, right, title and interest in U.S. Patent No. 7,861,006 B2.

Identification of Person(s) Making This Disclaimer

Name of disclaimant: Robert K. Goethals. Disclaimant represents that he is a Registered Patent Attorney, Registration No. 36,813, and an Attorney of Record for the above-identified application, and authorized to sign on behalf of the patent owner identified above.

Extent of Interest

The extent of the patent owner's interest is in the whole of this invention.

Declaration Under 37 C.F.R. 3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the patent owner identified above.

Disclaimer

The petitioner, through his Attorney of Record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of United States Patent No. 7,861,006 B2. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and United States Patent 7,861,006 B2 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent 7,861,006 B2, in the event that U.S. Patent 7,861,006 B2 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)

- large entity--fee \$140.00
 small entity--fee \$70.00

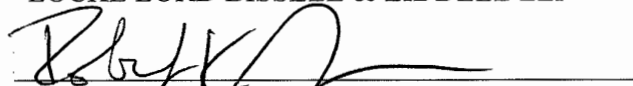
Fee Payment

- Attached is a check in the sum of \$.
 Charge Deposit Account 504827, Order No. 1004294.012US any fee required by this paper.

AUTHORIZATIONS:

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Terminal Disclaimer under 37 C.F.R. §§1.16 -§1.20 or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP


Robert K. Goehals
Registration No. 36,813

Dated: September 12, 2011

Correspondence Address:

Address Associated With Customer Number:
85775

(212) 415-8600 Telephone
(212) 303-2754 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
 Applicant(s): Scott McNulty Group Art Unit: 2614
 Examiner: Asghar H. BILGRAMI
 Filed: November 19, 2010 Customer No.: 85775
 For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))

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

Sir:

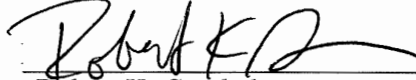
1. This is a petition for an extension of time for an Amendment and Terminal Disclaimer
2. The communication in connection with the matter for which this extension is requested
 - are filed herewith.
 - has been filed on _____.

3. Applicant(s) is/are entitled to Small Entity Status.
 - Statement has already been filed

4.	<u>Total Months Requested</u>	<u>Fee for Other than Small Entity</u>	<u>Fee for Small Entity</u>
a.	<input checked="" type="checkbox"/> one month	\$130.00	\$65.00
b.	<input type="checkbox"/> two months	\$490.00	\$245.00
c.	<input type="checkbox"/> three months	\$1,110.00	\$555.00
d.	<input type="checkbox"/> four months	\$1,730.00	\$865.00
e.	<input type="checkbox"/> five months	\$2,350.00	\$1,175.00
f.	<input type="checkbox"/> An extension for _____ months has already been secured for filing the above-identified communication and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$ _____), minus the fee previously paid (\$ _____) equals \$_____ (total fee due).		

5. A check in the amount of \$_____ to cover the extension fee is attached.
6. Charge fee to Deposit Account No. 504827, Order No. 1004294.012US.
7. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP



Robert K. Goethals
Registration No. 36,813

Dated: September 12, 2011

Correspondence Address:

Address Associated With Customer Number:
85775

(212) 415-8600 Telephone
(212) 303-2754 Facsimile

Electronic Patent Application Fee Transmittal

Application Number:	12950321			
Filing Date:	19-Nov-2010			
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT			
First Named Inventor/Applicant Name:	SCOTT MCNULTY			
Filer:	Robert Keaney Goethals/Anna Hill			
Attorney Docket Number:	1004294.012US			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	65	65

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or terminal disclaimer	2814	1	70	70
Total in USD (\$)				135

Electronic Acknowledgement Receipt

EFS ID:	10927069
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	12-SEP-2011
Filing Date:	19-NOV-2010
Time Stamp:	16:05:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$135
RAM confirmation Number	2967
Deposit Account	504827
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		1004294-012US_Amendment.pdf	765925 04aee9dfb4651cc2c9f5327ddfaeb0ee65f6d646	yes	14
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Amendment/Req. Reconsideration-After Non-Final Reject	1	1	
		Claims	2	9	
		Applicant Arguments/Remarks Made in an Amendment	10	14	
Warnings:					
Information:					
2	Terminal Disclaimer Filed	1004294-012US_TerminalDisclaimer.pdf	126352 6031b880ec654bdc9b576b1b4e8b10117f80adb0	no	3
Warnings:					
Information:					
3	Extension of Time	1004294-012US_ExtensionOfTime.pdf	72883 f2190c3484d13a2da899ea0eeec210ccddcfef315a	no	2
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	32076 a9907295c2a2537763534acf9ed6f4279fbf8515	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			997236		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office


If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 12/950,321		Filing Date 11/19/2010		<input type="checkbox"/> To be Mailed		
APPLICATION AS FILED – PART I					OTHER THAN SMALL ENTITY						
(Column 1)		(Column 2)			SMALL ENTITY <input checked="" type="checkbox"/>		OR				
FOR		NUMBER FILED		NUMBER EXTRA			RATE (\$)		FEE (\$)		
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>		N/A		N/A			N/A		N/A		
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>		N/A		N/A			N/A		N/A		
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>		N/A		N/A			N/A		N/A		
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>		minus 20 =		*			X \$ =		OR		
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>		minus 3 =		*			X \$ =		OR		
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>											
* If the difference in column 1 is less than zero, enter "0" in column 2.											
APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY						
(Column 1)		(Column 2)		(Column 3)			SMALL ENTITY		OR		
AMENDMENT	09/12/2011		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA		RATE (\$)	
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	Independent <small>(37 CFR 1.16(h))</small>		* 5		Minus *** 5			= 0		X \$110 = 0	
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(Column 1)		(Column 2)		(Column 3)			TOTAL ADD'L FEE		OR		
							0		OR		
AMENDMENT	(Column 1)		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA		RATE (\$)	
	Total <small>(37 CFR 1.16(i))</small>		*		Minus **			=		OR	
	Independent <small>(37 CFR 1.16(h))</small>		*		Minus ***			=		OR	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>										
(Column 1)		(Column 2)		(Column 3)			TOTAL ADD'L FEE		OR		
									OR		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.											
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".											
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".											
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.											
							Legal Instrument Examiner: /ROSS W. BROWN/				

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application Number 	Application/Control No. 12/950,321	Applicant(s)/Patent under Reexamination MCNULTY, SCOTT

Document Code - DISQ	Internal Document – DO NOT MAIL
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TERMINAL DISCLAIMER	<input type="checkbox"/> APPROVED	<input checked="" type="checkbox"/> DISAPPROVED
Date Filed : 09/12/11	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

The language 35 USC 154 to 156 and 173 is unclear as to 155 and 156 statues do not cover the same rights, it should read 35 USC 154 and 173.

Angie Walker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
Applicant(s): Scott McNulty Group Art Unit: 2614
Examiner: Asghar H. BILGRAMI
Filed: November 19, 2010 Customer No.: 85775
For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS
POINT

**TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(C)
TO OBVIATE PROVISIONAL DOUBLE PATENTING REJECTION**

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

Sir:

Identity of Patent Owner

The petitioner, Scott McNulty, having a residence address at 22 Ensign Road, Rowayton, CT 06853 is the sole inventor and owner of the entire right, title and interest in the above-identified application, Serial No. 12/950,321. The petitioner is also the owner of the entire, right, title and interest in U.S. Patent No. 7,861,006 B2.

Identification of Person(s) Making This Disclaimer

Name of disclaimant: Robert K. Goethals. Disclaimant represents that he is a Registered Patent Attorney, Registration No. 36,813, and an Attorney of Record for the above-identified application, and authorized to sign on behalf of the patent owner identified above.

Extent of Interest

The extent of the patent owner's interest is in the whole of this invention.

Declaration Under 37 C.F.R. 3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the patent owner identified above.

Disclaimer

The petitioner, through his Attorney of Record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, of United States Patent No. 7,861,006 B2. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and United States Patent 7,861,006 B2 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of U.S. Patent 7,861,006 B2, in the event that U.S. Patent 7,861,006 B2 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)

- large entity--fee \$160.00
 small entity--fee \$80.00

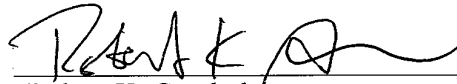
Fee Payment

- Attached is a check in the sum of \$.
 Charge Deposit Account 504827, Order No. 1004294.012US any fee required by this paper.

AUTHORIZATIONS:

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Terminal Disclaimer under 37 C.F.R. §§1.16 -§1.20 or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP



Robert K. Goethals
Registration No. 36,813

Dated: September 30, 2011

Correspondence Address:

Address Associated With Customer Number:
85775

(212) 415-8600 Telephone
(212) 303-2754 Facsimile

Electronic Patent Application Fee Transmittal

Application Number:	12950321			
Filing Date:	19-Nov-2010			
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT			
First Named Inventor/Applicant Name:	SCOTT MCNULTY			
Filer:	Robert Keaney Goethals/Anna Hill			
Attorney Docket Number:	1004294.012US			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or terminal disclaimer	2814	1	80	80
Total in USD (\$)				80

Electronic Acknowledgement Receipt

EFS ID:	11085222
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	30-SEP-2011
Filing Date:	19-NOV-2010
Time Stamp:	11:46:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$80
RAM confirmation Number	1129
Deposit Account	504827
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Terminal Disclaimer Filed	1004294012US_TerminalDisclaimer.pdf	107907 4b1fa3b1b70a6779526cde632b9009c84082b617	no	3

Warnings:**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	30141 e4974760c26b6f0082d0c7127d2d41fa97d96c3	no	2
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Warnings:**Information:****Total Files Size (in bytes):**

138048

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529

Applicant(s): Scott McNulty Group Art Unit: 2614
 Examiner: Asghar H. BILGRAMI

Filed: November 19, 2010

For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
 Customer No.: 85775

INFORMATION DISCLOSURE STATEMENT

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

Sir:

Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449.

Copy(ies) of these references:

- Foreign Patent Applications, Foreign Patents and/or Other Non-Patent Documents are attached (Copies of cited U.S. Patents/Publications are not provided).
- Were cited in related application U.S. Serial No. 10/807,731, filed March 23, 2004, which issued as U.S. Patent No. 7,861,006.
- This document is being filed within three (3) months of the filing date of the application
- A check for the requisite fee of \$180 is enclosed.
- This document is being concurrently filed with the above-identified application
- This document is being concurrently filed with an Request for Continued Examination (RCE)
- This document is being filed prior to a first Office Action
- This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 504827, Order No. 1004294.012US.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
 LOCKE LORD BISSELL & LIDDELL LLP

By:


 Robert K. Goethals
 Registration No. 36,813

Dated: October 3, 2011

Correspondence Address:

Address Associated With Customer Number:
 85775

(212) 415-8600 Telephone
 (212) 303-2754 Facsimile

NY 654016v.1

FORM PTO-1449A INFORMATION DISCLOSURE CITATION	Attorney Docket: 1004294.012US	Serial No.: 12/950,321
	Applicant: Scott McNulty	
	Filing Date: November 19, 2010	Group Art Unit: 2614

U.S. PATENT / PUBLICATION DOCUMENTS

Examiner Initial		Patent/Publication Number	Publication/Issue Date	Name	Filing Date
	1.	6,763,399	7/2004	Margalit et al.	
	2.	6,970,927	11/205	Stewart et al.	
	3.	7,032,240	4/2006	Conce et al.	
	4.	7,213,766	5/2007	Ryan et al.	
	5.	7,310,734	12/2007	Boate et al.	
	6.	7,454,783	11/2008	Dupouy et al.	
	7.	2004/0127254	7/2004	Chang	
	8.	2005/0132183	6/2005	Gearhart	
	9.	2005/0197859	9/2005	Wilson et al.	
	10.	2005/0198221	9/2005	Manchester et al.	
	11.	2006/0071066	4/2006	Vanzini et al.	
	12.				
	13.				
	14.				

FOREIGN PATENT DOCUMENTS

Examiner Initial		Patent Number	Publication Date	Country	Copy Filed	Translation
	15.	00/49505	2/2000	WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Abstract <input type="checkbox"/> N/A
	16.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	17.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	18.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	19.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	20.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

Electronic Acknowledgement Receipt

EFS ID:	11099089
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	03-OCT-2011
Filing Date:	19-NOV-2010
Time Stamp:	15:07:22
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	1004294012US_IDS.pdf	91552 <small>5378403f5e115c2c7750cea7cf6f45bc1c67e6f5</small>	no	2

Warnings:

Information:

Total Files Size (in bytes):

91552

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111


If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Application Number 	Application/Control No. 12/950,321	Applicant(s)/Patent under Reexamination MCNULTY, SCOTT

Document Code - DISQ	Internal Document – DO NOT MAIL
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TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 09/30/11	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Janice Ford

U.S. Patent and Trademark Office



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes application details for 12/950,321 and 85775, inventor SCOTT MCNULTY, and examiner BILGRAMI, ASGHAR H.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com

Office Action Summary	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	

-- 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 12 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) 1-20,22-25,27,29,30,32-34 and 36 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) 1-20,22-25,27,29,30,32-34 and 36 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 19 November 2010 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).
- 12) 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

- 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.

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/SB/08)
Paper No(s)/Mail Date 10/3/2011.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are rejected under 35 U.S.C. 102(e) as being James by U.S. 7,051,157B2).

3. As per claims 1, 25, 29, 30 and 34 James disclosed a portable device/system/method/non-transitory computer readable medium containing executable program code (col.1, lines 41-63) {Portable USB flash memory device having application data that is uploaded to a computer}, comprising:

(a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and **a terminal comprising** (col.1, lines 41-64) {USB communications interface connecting portable USB memory device to a host computer} a terminal processor (col.2, lines 1-5), a first input component (col.2,lines 5-14), a first output component, and a network interface (col.12, lines 35-54); (b) a processor (col.5, lines 46-64); and (c) a memory having executable program code a plurality of processing instructions stored thereon (col.1, lines 41-63),

Art Unit: 2443

including: (1) first program code which, when executed (col.3, lines 39-48), causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory (col.4, lines 46-67 and col.5, lines 1-3); and (2) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface (col.4, lines 46-67 and col.5, lines 1-3) {Changes made to a word processing application (user interface) opened from the portable memory device onto a host computer are retained on the portable memory device} and (ii) cause a communication to be sent through the terminal network interface to a communications network node (col.12, lines 35-67 and col.13, lines 1-12); and (3) third program code, which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communications network node (col.12, lines 35-67 and col.13, lines 1-12); wherein the portable device is configured to effect the display on the first output component of processing activity of program code stored on the portable device memory (col.4, lines 46-67); and wherein the portable device is configured to communicate with the terminal (col.8, lines 10-33) and to communicate through the terminal network interface with the communications network node (col.9, lines 46-51).

Art Unit: 2443

4. As per claim 2 James disclosed the portable device of claim 1, wherein the external communication interface is a universal serial bus interface (col.1, lines 46-49).

5. As per claim 3 James disclosed the portable device of claim 1, wherein the external communication interface is a wireless communication interface (col.4, lines 30-37).

6. As per claim 4 James disclosed the portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol (col.4, lines 30-37).

7. As per claim 5 James disclosed the portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol (col.4, lines 30-37).

8. As per claim 6 James disclosed the portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like (col.4, lines 22-29).

Art Unit: 2443

9. As per claim 7 James disclosed the portable device of claim 1, wherein the communications network comprises a local area network (col.12, lines 35-43).

10. As per claim 8 James disclosed the portable device of claim 7, wherein the communications network node comprises a server (col.12, line 67, col.13, lines 1-12).

11. As per claim 9 James disclosed the portable device of claim 7, wherein the communications network node comprises a data storage system (col.12, line 67, col.13, lines 1-12).

12. As per claim 10 James disclosed the portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks (col.12, line 67, col.13, lines 1-12).

13. As per claim 11 James disclosed the portable device of claim 7, wherein the communications network node comprises a printer (col.2, lines 1-5).

14. As per claim 12 James disclosed the portable device of claim 7, wherein the communications network comprises a wireless local area network (col.4, lines 30-37).

15. As per claim 13 James disclosed the portable device of claim 1, wherein the communications network comprises a wide area network (col.4, lines 30-37).

16. As per claim 14 James disclosed the portable device of claim 1, wherein the communications network comprises the Internet (col.9, line 46-51).

17. As per claim 15 James disclosed the portable device of claim 14, wherein the communications network node comprises a server (col.9, line 46-51).

18. As per claim 16 James disclosed the portable device of claim 14, wherein the communications network node comprises a data storage system (col.12, line 67, col.13, lines 1-12).

19. As per claim 17 James disclosed the portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks (col.12, line 67, col.13, lines 1-12).

20. As per claim 18 James disclosed the portable device of claim 14, wherein the communications network node comprises an intermediary node (col.12, line 67, col.13, lines 1-12).

Art Unit: 2443

21. As per claim 19 James disclosed the portable device of claim 18, wherein the intermediary node comprises a router (col.12, line 67, col.13, lines 1-12).

22. As per claim 20 James disclosed the portable device of claim 1, wherein the communications network comprises a wireless network (col.4, lines 30-37).

23. As per claim 22 James disclosed the portable device of claim 1, wherein the first program code is configured to be executed by the portable device processor ((col.5, lines 46-64).

24. As per claim 23 James disclosed the portable device of claim 1, wherein the first program code is configured to be executed by the terminal processor (col.2, lines 1-5).

25. As per claim 24 James disclosed the portable device of claim 1, wherein the first output component comprises a display device (col.4, 46-67).

26. As per claim 27 James disclosed the method of claim 25 wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component (col.4, lines 46-67 and col.5, lines 1-3).

27. As per claim 32 James disclosed the non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the portable device processor (col.5, lines 46-64).

28. As per claim 33 James disclosed the non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the terminal processor (col.4, lines 46-67 and col.5, lines 1-3).

29. As per claim 36 James disclosed the system of claim 35, wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component (col.4, lines 46-67 and col.5, lines 1-3).

Response to Arguments

30. Applicant's arguments with respect to claim 1-20, 22-25, 27, 29-30, 32-34 and 36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asghar Bilgrami/
Primary Examiner, Art Unit 2443

Notice of References Cited	Application/Control No. 12/950,321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	Page 1 of 1

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*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-7,051,157 B2	05-2006	James, Barry Edmund	711/115
*	B US-6,763,399 B2	07-2004	Margalit et al.	710/13
*	C US-7,032,240 B1	04-2006	Cronce et al.	726/2
*	D US-7,310,734 B2	12-2007	Boate et al.	713/186
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
Final	Original	05/06/2011									
	1	✓									
	2	✓									
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	31	-									
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	34	✓									
	35	-									
	36	✓									

Index of Claims 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed

-	Cancelled
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N	Non-Elected
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A	Appeal
O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM			DATE						
Final	Original	05/06/2011							
	37	-							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	14	("7103772" "20050198221" "7454783" "7762470" "7032240" "20040127254" "6763399" "6970927" "20060071066" "20050197859" "7213766" "6732278" "20050132183" "7310734").PN.	US-PGPUB; USPAT; EPO	OR	OFF	2012/02/10 16:23
L2	11	l1 and (portable) same (memory or storage)	US-PGPUB; USPAT; EPO	OR	OFF	2012/02/10 16:24
S85	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S86	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S87	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S88	3	709/220.ccls. and (portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S89	60711	(client or user) same (access) with (point)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S90	739	(client or user) same (access) with (point) same (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S91	67	(client or user) same (access) with (point) same (USB) same (secure or encrypt\$3) and (portable or mobile or handheld or palm)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S92	11	(client or user) same (access) with (point) same (USB or thumb) near3	US-PGPUB; USPAT;	OR	ON	2011/05/05 19:59

		(drive) same (secure or encrypt\$3)	USOCR; EPO; DERWENT; IBM_TDB			
S93	110	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S94	2	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3) and @ay< "2004,03,24"	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S95	14586	(remote) same (access) same (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S96	7718	(remote) same (access) near4 (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S97	15	(remote) same (access) near4 (point) same (device or module) same (USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S98	460	(remote) same (access) near4 (point) same (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S99	13	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S100	6	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S101	1128	(client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S102	116	(client or user) same (access) near4 (point) same (portable) with (device	US-PGPUB; USPAT;	OR	ON	2011/05/05 19:59

		or module) same (secure or encrypt\$4)	USOCR; EPO; DERWENT; IBM_TDB			
S103	53	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S104	6	709/250.ccls. and (client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S105	16	709/250.ccls. and (access) near4 (point) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S106	16	709/250.ccls. and (access) near4 (point) same (portable or pluggable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S107	70	709/250.ccls. and (access) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S108	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S109	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S110	105595	(potable) wtih (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S111	1003623	(portable) wtih (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S112	1206	(portable) with (security) with (key)	US-PGPUB; USPAT;	OR	ON	2011/05/05 19:59


			USOCR; EPO; DERWENT; IBM_TDB			
S113	1831	(portable) with (security or secure) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S114	339	(portable) near4 (security or secure) near4 (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S115	1527	(portable) with (security or secure) with (key) same (termial or system or device)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S116	260	(portable) with (security or secure) with (key) with (termial or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S117	13	(portable) with (security or secure) with (key) with (termial or system or device) with (access) and (thumb)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S118	0	("2007/0170239").URPN.	USPAT	OR	ON	2011/05/05 19:59
S119	260	(portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S120	119	(portable) with (security or secure) with (key) with (terminal or system or device) with (access) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S121	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S122	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S123	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO;	OR	ON	2011/05/05 19:59

			DERWENT; IBM_TDB			
S124	7	"861133".ap.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S125	0	portable.clm. and tunneling.clm. and storage.clm. and processing.clm. and "input.clm" and component.clm. and universal.clm. and serial.clm. and bus.clm. and memory.clm. and instructions.clm. and terminal.clm. and interactive.clm. and command.clm. and "display.clm" and server.clm. and "encrypt.clm" and decrypt.clm.	US-PGPUB; USPAT	OR	ON	2011/05/05 19:59
S126	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S127	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S128	2	"7454783".pn.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S129	13045	(USB) same (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S130	6703	(USB) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S131	480	(USB) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S132	24	(USB) with (security) with (key) with (network) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:08

S133	8	(USB) with (security) with (key) with (network) with (access) and printer	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/06 11:16
S134	23	("5363369" "6332193" "6405203" "6732278" "6839353").PN. OR ("7103772").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/05/06 11:18
S135	14	(portable) same (tunnel) same (USB) same ((personal) near3 (computer) or PC)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 10:57
S136	1	(remote) same (portable) same (tunnel) same (USB) same ((personal) near3 (computer) or PC)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:01
S137	1	("7051157").PN.	USPAT; USOCR	OR	OFF	2011/10/26 11:03
S138	1	("7441262").PN.	USPAT; USOCR	OR	OFF	2011/10/26 11:05
S139	41	711/115.ccls. and (portable) same (USB) same ((personal) near3 (computer) or PC) and (network)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:08
S140	5	711/115.ccls. and (portable) same (USB or memory) same ((personal) near3 (computer) or PC) same (network) same (access\$5)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:17
S141	20	("20020095416" "20020147912" "20030115415" "20030212862" "20040220899" "4777590" "4993068" "5522049" "5581763" "6105148" "6177957" "6374328" "6748537" "6795966").PN. OR ("7051157").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/10/26 11:26

2/ 10/ 2012 4:46:35 PM

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Search Notes 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

SEARCHED			
Class	Subclass	Date	Examiner
709	250, 220	2/10/2012	AB
713	150	2/10/2012	AB

SEARCH NOTES		
Search Notes	Date	Examiner
U.S.PAT, PG-PUB, EPO	2/10/2012	AB
Inventor Name search	5/5/2011	AB
Assignee search	5/5/2011	AB
Double Patenting search	5/5/2011	AB
101 Compliance search	5/5/2011	AB

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

	/ASGHAR BILGRAMI/ Primary Examiner.Art Unit 2443
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
 Applicant(s): Scott McNulty Group Art Unit: 2614
 Examiner: Asghar H. BILGRAMI
 Filed: November 19, 2010
 Customer No.: 85775
 For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

INFORMATION DISCLOSURE STATEMENT

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

Sir:

Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449.

Copy(ies) of these references:

- Foreign Patent Applications, Foreign Patents and/or Other Non-Patent Documents are attached (Copies of cited U.S. Patents/Publications are not provided).
- Were cited in related application U.S. Serial No. 10/807,731, filed March 23, 2004, which issued as U.S. Patent No. 7,861,006.
- This document is being filed within three (3) months of the filing date of the application
- A check for the requisite fee of \$180 is enclosed.
- This document is being concurrently filed with the above-identified application
- This document is being concurrently filed with an Request for Continued Examination (RCE)
- This document is being filed prior to a first Office Action
- This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 504827, Order No. 1004294.012US.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
 LOCKE LORD BISSELL & LIDDELL LLP

By:


 Robert K. Goethals
 Registration No. 36,813

Dated: October 3, 2011

Correspondence Address:

Address Associated With Customer Number:
 85775

(212) 415-8600 Telephone
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AB/

FORM PTO-1449A INFORMATION DISCLOSURE CITATION	Attorney Docket: 1004294.012US	Serial No.: 12/950,321
	Applicant: Scott McNulty	
	Filing Date: November 19, 2010	Group Art Unit: 2614

U.S. PATENT / PUBLICATION DOCUMENTS

Examiner Initial	Patent/Publication Number	Publication/Issue Date	Name	Filing Date
	1. 6,763,399	7/2004	Margalit et al.	
	2. 6,970,927	11/205	Stewart et al.	
	3. 7,032,240	4/2006	Conce et al.	
	4. 7,213,766	5/2007	Ryan et al.	
	5. 7,310,734	12/2007	Boate et al.	
	6. 7,454,783	11/2008	Dupouy et al.	
	7. 2004/0127254	7/2004	Chang	
	8. 2005/0132183	6/2005	Gearhart	
	9. 2005/0197859	9/2005	Wilson et al.	
	10. 2005/0198221	9/2005	Manchester et al.	
	11. 2006/0071066	4/2006	Vanzini et al.	
	12.			
	13.			
	14.			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Copy Filed	Translation
	15. 00/49505	2/2000	WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Abstract <input type="checkbox"/> N/A
	16.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	17.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	18.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
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	20.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A

Examiner /Asghar Bilgrami/	Date Considered 10/26/2011
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AB/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	12/950,321	Confirmation No.:	7529
Applicant:	Scott McNulty	Group Art Unit:	2614
		Examiner:	Asghar H. Bilgrami
Filed:	November 19, 2010		
		Customer No.:	85775

For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

RESPONSE TO OFFICE ACTION

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

Sir:

This paper is responsive to the Office Action issued on February 15, 2012, for which a three-month shortened statutory period of time for response expired May 15, 2012. Applicant submits herewith a petition and fee for a one-month extension of time for this response. Applicant respectfully requests reconsideration of the present application in view of the following remarks.

Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Listing of Claims

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

Claim 1 (previously presented): A portable device, comprising:

(a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface;

(b) a processor; and

(c) a memory having executable program code stored thereon, including:

(1) first program code which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;

(2) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node; and

(3) third program code which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communications network node;

wherein the portable device is configured to effect the display on the first output component of processing activity of program code stored on the portable device memory; and

wherein the portable device is configured to communicate with the terminal and to communicate through the terminal network interface with the communications network node.

Claim 2 (original): The portable device of claim 1, wherein the external communication interface is a universal serial bus interface.

Claim 3 (original): The portable device of claim 1, wherein the external communication interface is a wireless communication interface.

Claim 4 (original): The portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol.

Claim 5 (original): The portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol.

Claim 6 (original): The portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like.

Claim 7 (previously presented): The portable device of claim 1, wherein the communications network comprises a local area network.

Claim 8 (previously presented): The portable device of claim 7, wherein the communications network node comprises a server.

Claim 9 (previously presented): The portable device of claim 7, wherein the communications network node comprises a data storage system.

Claim 10 (original): The portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks.

Claim 11 (previously presented): The portable device of claim 7, wherein the communications network node comprises a printer.

Claim 12 (previously presented): The portable device of claim 7, wherein the communications network comprises a wireless local area network.

Claim 13 (previously presented): The portable device of claim 1, wherein the communications network comprises a wide area network.

Claim 14 (previously presented): The portable device of claim 1, wherein the communications network comprises the Internet.

Claim 15 (previously presented): The portable device of claim 14, wherein the communications network node comprises a server.

Claim 16 (previously presented): The portable device of claim 14, wherein the communications network node comprises a data storage system.

Claim 17 (original): The portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks.

Claim 18 (previously presented): The portable device of claim 14, wherein the communications network node comprises an intermediary node.

Claim 19 (original): The portable device of claim 18, wherein the intermediary node comprises a router.

Claim 20 (previously presented): The portable device of claim 1, wherein the communications network comprises a wireless network.

Claim 21 (canceled).

Claim 22 (previously presented): The portable device of claim 1, wherein the first program code is configured to be executed by the portable device processor.

Claim 23 (previously presented): The portable device of claim 1, wherein the first program code is configured to be executed by the terminal processor.

Claim 24 (original): The portable device of claim 1, wherein the first output component comprises a display device.

Claim 25 (previously presented): A method implemented on a portable device comprising a processor, a memory having executable program code stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

- (a) executing first program code stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;

- (b) executing second program code stored on the portable device memory to enable the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;
- (c) executing third processing code stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;
- (d) causing a communication to be transmitted to a communications network node;
- and
- (e) effecting the display on the first output component of processing activity of program code stored on the portable device memory.

Claim 26 (canceled).

Claim 27 (previously presented): The method of claim 25 wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component.

Claim 28 (canceled).

Claim 29 (previously presented): A method implemented on a portable device comprising a processor, a memory having executable program code stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

- (a) providing the terminal with access to first program code stored on the portable device memory which, when executed by the terminal processor, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;
- (b) providing the terminal with access to second program code stored on the portable device memory which, when executed by the terminal processor, enables the portable device to (i) receive a communication resulting from user interaction with the interactive

user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

(c) executing third program code stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;

(d) causing a communication to be transmitted to a communications network node;
and

(e) effecting the display on the first output component of processing activity of program code stored on the portable device memory.

Claim 30 (previously presented): A non-transitory computer readable medium containing executable program code to be executed by a computer system comprising a portable device and a terminal, the portable device comprising an external communications interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, and the terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the program code comprising:

(a) first program code which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;

(b) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

(c) third program code which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communication network node.

Claim 31 (canceled).

Claim 32 (previously presented): The non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the portable device processor.

Claim 33 (previously presented): The non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the terminal processor.

Claim 34 (previously presented): A system implementing a terminal having a terminal processor, a first input device, a first output device, and a network interface, the system comprising:

- (a) a communications network node; and
- (b) a portable device comprising an external communication interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, wherein the memory has executable program code stored thereon, the portable device configured to:
 - (1) execute first program code stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;
 - (2) provide the terminal with access to second program code stored on the portable device memory which, when executed by the terminal processor, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;
 - (3) execute third program code stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;
 - (4) cause a communication to be transmitted to the communication network node; and
 - (5) effect the display on the first output component of processing activity of program code stored on the portable device memory.

Claim 35 (canceled).

Claim 36 (previously presented): The system of claim 35, wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component.

Claim 37 (canceled).

REMARKS

I. Status Of The Claims

Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are pending in the present application.

II. Response to Rejections under 35 U.S.C. §102(e)

Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are rejected under 35 U.S.C. §102(e) as being anticipated by James U.S. Patent No. 7,051,157 (“James”). Applicant respectfully traverses these rejections and submits that claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are patentably distinct over James for at least the following reasons.

A. Independent Claims 1, 25, 29, 30 And 34

As a preliminary matter, Applicant points out that the Examiner’s citations to different disclosures in James that allegedly correspond to various limitations recited in the pending claims are derived in some instances from the discussion of the prior art (Col. 1, ln. 11 – Col. 3, ln. 16) and other instances from the description of the James memory device (Col. 3, ln. 17 et seq.). Applicant respectfully submits that a proper anticipation rejection cannot be fashioned by the combination of various features disclosed in connection with the prior art and other features separately disclosed in connection with the embodiments of the purported invention described in a patent reference.

James discloses a hot-pluggable portable memory device which contains an applications software package that is executed by the host computer processor directly from the portable memory device. See, e.g., Abstract (“Upon connection to the computer, the applications software package runs directly from the device without being uploaded or installed on the computer.”); Col. 4, lns. 38-40 (“Embodiments of the present invention seek to run the data and applications software directly from the discrete memory device”); Col. 8, lns. 26-33 (“By

running applications software and accessing data directly from the memory device, embodiments of the present invention overcome this problem, since potentially confidential data is not actually copied onto the computer's hard drive unless it is specifically desired to do so, for example when copying a data file from one memory device to another by way of a stand-alone computer.”) Accordingly, James discloses that the portable memory device functions as peripheral memory storage to the host computer processor in the same manner as the host computer’s RAM or permanent hard drive memory storage. James lacks any disclosure, teaching or suggestion that the portable memory device includes an on-board processor or that any of the applications software contained on the portable memory device is executed by an on-board processor. To the contrary, James repeatedly discloses, teaches and suggests that all of the “processing power” is provided by the host computer processor and that the applications software stored on the portable memory device is exclusively executed by the host computer processor.

According to a first aspect of the present invention, there is provided a method of data processing, wherein at least one applications software package and optional associated data is held on a discrete, non-volatile memory device requiring no processing power, the memory device including means for releasable connection, by way of an I/O port or the like, to a separate host computer having a processor and an operating system, and wherein, upon connection of the memory device to the computer, the applications software package runs from the memory device by making use of the operating system and processor of the host computer in such a way that changes to data as a result of data processing by the processor of the host computer are stored in the memory device. Col. 3, lns. 20-33. (emphasis added).

* * *

According to a second aspect of the present invention, there is provided a discrete, non-volatile memory device requiring no on-board processor and having means for releasable connection by way of an I/O port or the like to a host computer having a processor and an operating system, the memory device containing at least one applications software package and optional associated data, the applications software package being configured to run from the memory device, upon connection thereof to the host

computer, by making use of the operating system and processor of the host computer, and wherein the memory device is configured to store changes to data resulting from data processing by the processor of the host computer. Col. 3, Ins. 39-51. (emphasis added).

* * *

Preferably, changes to data made as a result of data processing by the processor of the host computer are stored immediately or substantially immediately in the memory device so as to permit "surprise" disconnection of the memory device from the host computer without significant loss of data. Col. 3, Ins. 58-63. (emphasis added).

* * *

It is to be emphasised that embodiments of the present invention provide true cross-platform "hot-plugability", in that data processing may take place on a first host computer of a particular type, the memory device may be disconnected from the first host computer at an arbitrary time without loss of data integrity, and later connected to a second host computer, potentially with a different processor and/or operating system than the first, where data processing can continue from where it left off in the first host computer. Col. 4, Ins. 46-54. (emphasis added).

* * *

The memory device requires no processing power or on-board processor, since it makes use of a host computer's processing power or processor when connected thereto. Accordingly, a software system can be made independent of a processor when not in use, thereby providing significant cost savings and additional flexibility. In other words, the memory device loaded with an applications software package of embodiments of the present invention may serve as a discrete lightweight, cheap and portable "pico-computer" that "borrows" processing power from a processor of a host computer when connected thereto, but does not require an on-board processor when not in use. Col. 5, Ins. 46-57. (emphasis added).

* * *

... the applications software package runs from the memory device by making use of the operating system and processor of the host computer Claim 1. (emphasis added).

* * *

... the applications software package being configured to run from the memory device, upon connection thereof to the host computer, by making use of the operating system and processor of the host computer, and wherein the memory device is configured to store changes to data resulting from data processing by the processor of the host computer Claim 2.

As clearly set forth in these excerpts, James is directed to a portable memory device having applications software specifically configured to be executed by the host computer processor. This fundamental concept permeates the entire James patent disclosure. First, James expressly refers the portable device as a “memory device,” not a processing device. This is consistent with the characterization of the invention disclosed in James as an improvement over other portable storage mediums such as floppy disks and CD-ROMs, which also do not have any processing power and instead use the operating system and processor of the host computer. As repeatedly stated in James, the portable memory device does not need any processing power or on-board processor because all of the processing activity takes place on the host computer processor.

Applicant respectfully submits that James fails to disclose the configuration, functionality and/or interactivity of the invention recited in the pending claims. First, James fails to disclose or describe (1) a portable device comprising a memory according to independent claim 1, (2) a method implemented on a portable device comprising a memory according to independent claims 25 and 29, (3) a non-transitory computer readable medium according to independent claim 30, or (4) a system comprising a portable device having a memory according to independent claim 34, including “third program code which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communications network node.” The Examiner’s citation at page 3 of the Office Action to the disclosure in James at Col. 12, ln. 35 – Col 13, ln. 12 fails to include any description of program code or

applications software stored on the portable memory device which is executed by a processor on the portable memory device. Consistent with the repeatedly disclosures in James, none of the VPN, portable patient records or e-Lloyd George envelope examples cited in James by the Examiner disclose a portable memory device having an on-board processor or applications software stored on the portable memory device which is executed by any such on-board processor.

Second, James fails to disclose or describe (1) a portable device comprising a memory according to independent claim 1, (2) a method implemented on a portable device comprising a memory according to independent claims 25 and 29, (3) a non-transitory computer readable medium according to independent claim 30, or (4) a system comprising a portable device having a memory according to independent claim 34 including “first program code which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory.” The Examiner’s citation at page 3 of the Office Action to the disclosure in James at Col. 4, ln. 46 – Col. 5, ln. 3, fails to include any description of an “interactive user interface” “configured to enable the user to cause the portable device processor to execute program code stored on the portable device.” Rather, as repeatedly disclosed in James, this cited disclosure in James makes clear that the applications software stored on the portable memory device is exclusively executed by the host computer processor. (“data processing may take place on a first host computer” and “the memory device may be ... connected to a second host computer, potentially with a different processor and/or operating system than the first, where data processing can continue from where it left off in the first host computer.”)

Accordingly, for at least these reasons, applicant respectfully submits that independent claims 1, 25, 29, 30 and 34 are patentably distinct over James.

B. Dependent Claims 2-20, 22-24, 27, 32-33 And 36

Because claims 2-20, 22-24, 27, 32-33 and 36 depend from independent claims 1, 25, 30 and 34, applicant respectfully submits that these claims are also patentably distinct over James for at least the same reasons provided above.

With regard to dependent claims 22 and 32, the Examiner has asserted that the Col. 5, Ins. 46-64 in James discloses applications software stored on the portable memory device executed by a processor contained on the portable memory device. Applicant respectfully disagrees with the Examiner's assertion. Consistent with all of the other disclosures in James, the disclosure at Col. 5, Ins. 46-64 makes clear that all of the applications software stored on the portable memory device is executed by the host computer processor. (“[t]he memory device requires no processing power or on-board processor since it makes use of a host computer's processing power and processor when connected thereto” “the memory device loaded with an applications software package of embodiments of the present invention ... ‘borrows’ processing power from a processor of a host computer when connected thereto”).

CONCLUSION

Based on the foregoing remarks it is respectfully submitted that all of the claims are allowable and early, favorable action in that regard is requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD LLP



Robert K. Goethals
Registration No. 36,813

Dated: June 14, 2012

Correspondence Address:

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(212) 303-2754 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
 Applicant(s): Scott McNulty Group Art Unit: 2614
 Examiner: Asghar H. Bilgrami
 Filed: November 19, 2010
 Customer No.: 85775
 For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))

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

Sir:

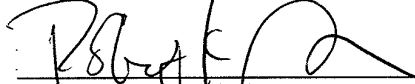
1. This is a petition for an extension of time for a Response to Office Cation
2. The communication in connection with the matter for which this extension is requested
 is filed herewith.
 has been filed on _____.

3. Applicant(s) is/are entitled to Small Entity Status.
 Statement has already been filed

4.	<u>Total Months Requested</u>	<u>Fee for Other than Small Entity</u>	<u>Fee for Small Entity</u>
a.	<input checked="" type="checkbox"/> one month	\$150.00	\$75.00
b.	<input type="checkbox"/> two months	\$560.00	\$280.00
c.	<input type="checkbox"/> three months	\$1,270.00	\$635.00
d.	<input type="checkbox"/> four months	\$1,980.00	\$990.00
e.	<input type="checkbox"/> five months	\$2,690.00	\$1,345.00
f.	<input type="checkbox"/> An extension for _____ months has already been secured for filing the above-identified communication and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$ _____), minus the fee previously paid (\$ _____) equals \$_____ (total fee due).		

5. A check in the amount of \$ _____ to cover the extension fee is attached.
6. Charge fee to Deposit Account No. 504827, Order No. 1004294.012US.
7. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD LLP



Robert K. Goethals
Registration No. 36,813

Dated: June 14, 2012

Correspondence Address:

Address Associated With Customer Number:

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Electronic Patent Application Fee Transmittal

Application Number:	12950321			
Filing Date:	19-Nov-2010			
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT			
First Named Inventor/Applicant Name:	SCOTT MCNULTY			
Filer:	Robert Keaney Goethals/Anna Hill			
Attorney Docket Number:	1004294.012US			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	75	75

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				75

Electronic Acknowledgement Receipt

EFS ID:	13015753
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	14-JUN-2012
Filing Date:	19-NOV-2010
Time Stamp:	15:10:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$75
RAM confirmation Number	1659
Deposit Account	504827
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		1004294012US_Amendment.pdf	843981 0369f6758bd89d67ea265a754bccee95eb7a219f	yes	15
Multipart Description/PDF files in .zip description					
	Document Description	Start	End		
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1		
	Claims	2	8		
	Applicant Arguments/Remarks Made in an Amendment	9	15		

Warnings:**Information:**

2	Extension of Time	1004294012US_Extension.pdf	83738 835197116635b2882462f83053d5097f3cf45545	no	2
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Warnings:**Information:**

3	Fee Worksheet (SB06)	fee-info.pdf	30137 2ae0e8604b387bf0569ad6759c85fa880b75626d	no	2
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Warnings:**Information:**

Total Files Size (in bytes):	957856
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National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/950,321	Filing Date 11/19/2010	<input type="checkbox"/> To be Mailed
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APPLICATION AS FILED – PART I				OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)		SMALL ENTITY <input checked="" type="checkbox"/>		OR		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)	OR	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A			N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		N/A			N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		X \$ =		OR	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =		X \$ =			X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))									
				TOTAL		TOTAL			

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)		(Column 3)	SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT	DATE	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)
	09/12/2011					X \$26 =	0	OR	X \$ =	
		Total (37 CFR 1.16(i))	-	30	Minus	**	37		=	0
		Independent (37 CFR 1.16(b))	-	5	Minus	***	5		=	0
		<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR		
		<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)		(Column 3)	SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT	DATE	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)
	6.14.12					X \$ =		OR	X \$ =	
		Total (37 CFR 1.16(i))	-	31	Minus	**	37		=	φ
		Independent (37 CFR 1.16(b))	-	5	Minus	***	5		=	φ
		<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR		
		<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
 /ROSS W. BROWN/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, DELIVERY MODE. Includes application details for 12/950,321 and 85775.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com

Office Action Summary	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	

-- 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 6/14/2012.
- 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) 1-20,22-25,27,29,30,32-34 and 36 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) 1-20,22-25,27,29,30,32-34 and 36 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 19 November 2010 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).
- 12) 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

- 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.

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/SB/08)
Paper No(s)/Mail Date 10/3/2011.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 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.

2. Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over James by U.S. 7,051,157B2) and king et al (U.S. Pub. No. 2002/0044663 A1).

1. As per claims 1, 25, 29, 30 and 34 James disclosed a portable device/system/method/non-transitory computer readable medium containing executable program code (col.1, lines 41-63) {Portable USB flash memory device having application data that is uploaded to a computer}, comprising:

(a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and **a terminal comprising** (col.1, lines 41-64) {USB communications interface connecting portable USB memory device to a host computer} a terminal processor (col.2, lines 1-5), a first input component (col.2,lines 5-14), a first output component, and a network interface (col.12, lines 35-54); **(b)** a processor (col.5, lines 46-64); and **(c)** a memory having executable program code a plurality of processing instructions stored thereon (col.1, lines 41-63), including: (1) first program code which, when executed (col.3, lines 39-48), causes an

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interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory (col.4, lines 46-67 and col.5, lines 1-3); and (2) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface (col.4, lines 46-67 and col.5, lines 1-3) {Changes made to a word processing application (user interface) opened from the portable memory device onto a host computer are retained on the portable memory device} and (ii) cause a communication to be sent through the terminal network interface to a communications network node (col.12, lines 35-67 and col.13, lines 1-12); and (3) third program code, which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communications network node (col.12, lines 35-67 and col.13, lines 1-12); wherein the portable device is configured to effect the display on the first output component of processing activity of program code stored on the portable device memory (col.4, lines 46-67); and wherein the portable device is configured to communicate with the terminal (col.8, lines 10-33) and to communicate through the terminal network interface with the communications network node (col.9, lines 46-51). Although James disclosed a portable memory device having program code to be executed by the processor of the terminal device to which the portable device is docked/connected, however James did not explicitly disclose the portable memory device having its own independent on-board processor that can execute the program

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code in its memory when docked/connected to the terminal device. In the same field of endeavor King disclosed portable memory device having its own independent on-board processor that can execute the program code in its memory when docked/connected to the terminal device (paragraphs. 15, 56 and 57).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated an on-board processor in a portable memory device in order to make the portable device more robust by minimizing the downtime to process the program code.

2. As per claim 2 James-King disclosed the portable device of claim 1, wherein the external communication interface is a universal serial bus interface (James, col.1, lines 46-49).

3. As per claim 3 James-King disclosed the portable device of claim 1, wherein the external communication interface is a wireless communication interface (James, col.4, lines 30-37).

4. As per claim 4 James-King disclosed the portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol (James, col.4, lines 30-37).

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5. As per claim 5 James-King disclosed the portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol (James, col.4, lines 30-37).

6. As per claim 6 James-King disclosed the portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like (James, col.4, lines 22-29).

7. As per claim 7 James-King disclosed the portable device of claim 1, wherein the communications network comprises a local area network (James, col.12, lines 35-43).

8. As per claim 8 James-King disclosed the portable device of claim 7, wherein the communications network node comprises a server (James, col.12, line 67, col.13, lines 1-12).

9. As per claim 9 James-King disclosed the portable device of claim 7, wherein the communications network node comprises a data storage system (James, col.12, line 67, col.13, lines 1-12).

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10. As per claim 10 James-King disclosed the portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks (James, col.12, line 67, col.13, lines 1-12).

11. As per claim 11 James-King disclosed the portable device of claim 7, wherein the communications network node comprises a printer (James, col.2, lines 1-5).

12. As per claim 12 James-King disclosed the portable device of claim 7, wherein the communications network comprises a wireless local area network (James, col.4, lines 30-37).

13. As per claim 13 James-King disclosed the portable device of claim 1, wherein the communications network comprises a wide area network (James, col.4, lines 30-37).

14. As per claim 14 James-King disclosed the portable device of claim 1, wherein the communications network comprises the Internet (James, col.9, line 46-51).

15. As per claim 15 James-King disclosed the portable device of claim 14, wherein the communications network node comprises a server (James, col.9, line 46-51).

16. As per claim 16 James-King disclosed the portable device of claim 14, wherein the communications network node comprises a data storage system (James, col.12, line 67, col.13, lines 1-12).

17. As per claim 17 James-King disclosed the portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks (James, col.12, line 67, col.13, lines 1-12).

18. As per claim 18 James-King disclosed the portable device of claim 14, wherein the communications network node comprises an intermediary node (James, col.12, line 67, col.13, lines 1-12).

19. As per claim 19 James-King disclosed the portable device of claim 18, wherein the intermediary node comprises a router (James, col.12, line 67, col.13, lines 1-12).

20. As per claim 20 James-King disclosed the portable device of claim 1, wherein the communications network comprises a wireless network (James, col.4, lines 30-37).

21. As per claim 22 James-King disclosed the portable device of claim 1, wherein the first program code is configured to be executed by the portable device processor

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(James, col.5, lines 46-64).

22. As per claim 23 James-King disclosed the portable device of claim 1, wherein the first program code is configured to be executed by the terminal processor (James, col.2, lines 1-5).

23. As per claim 24 James-King disclosed the portable device of claim 1, wherein the first output component comprises a display device (James, col.4, 46-67).

24. As per claim 27 James-King disclosed the method of claim 25 wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component (James, col.4, lines 46-67 and col.5, lines 1-3).

25. As per claim 32 James-King disclosed the non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the portable device processor (James, col.5, lines 46-64).

26. As per claim 33 James-King disclosed the non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the terminal processor (James, col.4, lines 46-67 and col.5, lines 1-3).

27. As per claim 36 James-King disclosed the system of claim 35, wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component (James, col.4, lines 46-67 and col.5, lines 1-3).

Response to Arguments

28. Applicant's arguments with respect to claim 1-20, 22-25, 27, 29-30, 32-34 and 36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asghar Bilgrami/
Primary Examiner, Art Unit 2443

Notice of References Cited	Application/Control No. 12/950,321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-7,051,157 B2	05-2006	James, Barry Edmund	711/115
*	B US-6,763,399 B2	07-2004	Margalit et al.	710/13
*	C US-7,032,240 B1	04-2006	Cronce et al.	726/2
*	D US-7,310,734 B2	12-2007	Boate et al.	713/186
*	E US-2002/0044663 A1	04-2002	King et al.	380/284
*	F US-6,233,568 B1	05-2001	Kara, Salim G.	705/410
*	G US-			
*	H US-			
*	I US-			
*	J US-			
*	K US-			
*	L US-			
*	M US-			

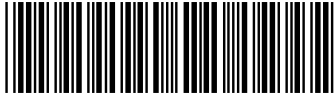
FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
*	N				
*	O				
*	P				
*	Q				
*	R				
*	S				
*	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
*	U				
*	V				
*	W				
*	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
Final	Original	10/05/2012									
	1	✓									
	2	✓									
	3	✓									
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	36	✓									

<i>Index of Claims</i> 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM			DATE						
Final	Original	10/05/2012							
	37	-							

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 12/950,321 Confirmation No.: 7529
 Applicant(s): Scott McNulty Group Art Unit: 2614
 Examiner: Asghar H. BILGRAMI
 Filed: November 19, 2010
 Customer No.: 85775
 For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

INFORMATION DISCLOSURE STATEMENT

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

Sir:

Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449.

Copy(ies) of these references:

- Foreign Patent Applications, Foreign Patents and/or Other Non-Patent Documents are attached (Copies of cited U.S. Patents/Publications are not provided).
- Were cited in related application U.S. Serial No. 10/807,731, filed March 23, 2004, which issued as U.S. Patent No. 7,861,006.
- This document is being filed within three (3) months of the filing date of the application
- A check for the requisite fee of \$180 is enclosed.
- This document is being concurrently filed with the above-identified application
- This document is being concurrently filed with an Request for Continued Examination (RCE)
- This document is being filed prior to a first Office Action
- This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 504827, Order No. 1004294.012US.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
 LOCKE LORD BISSELL & LIDDELL LLP

By:


 Robert K. Goethals
 Registration No. 36,813

Dated: October 3, 2011

Correspondence Address:

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 (212) 303-2754 Facsimile

NY 654016v.1

FORM PTO-1449A INFORMATION DISCLOSURE CITATION	Attorney Docket: 1004294.012US	Serial No.: 12/950,321
	Applicant: Scott McNulty	
	Filing Date: November 19, 2010	Group Art Unit: 2614

U.S. PATENT / PUBLICATION DOCUMENTS

Examiner Initial	Patent/Publication Number	Publication/Issue Date	Name	Filing Date
	1. 6,763,399	7/2004	Margalit et al.	
	2. 6,970,927	11/205	Stewart et al.	
	3. 7,032,240	4/2006	Conce et al.	
	4. 7,213,766	5/2007	Ryan et al.	
	5. 7,310,734	12/2007	Boate et al.	
	6. 7,454,783	11/2008	Dupouy et al.	
	7. 2004/0127254	7/2004	Chang	
	8. 2005/0132183	6/2005	Gearhart	
	9. 2005/0197859	9/2005	Wilson et al.	
	10. 2005/0198221	9/2005	Manchester et al.	
	11. 2006/0071066	4/2006	Vanzini et al.	
	12.			
	13.			
	14.			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Copy Filed	Translation
	15. 00/49505	2/2000	WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Abstract <input type="checkbox"/> N/A
	16.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	17.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	18.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	19.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	20.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A

Examiner /Asghar Bilgrami/	Date Considered 10/19/2012
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	(12/950321).APP.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/05 12:23
L3	10079	(portable) with (memory) with (processor)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:34
L4	684	(portable) near3 (memory) near4 (processor)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:34
L5	53	(portable) near3 (memory) with (on\$board or embedded or having) with (processor)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:35
L6	873	(portable) near3 (memory) near6 (processor)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:49
L7	533	(portable) near3 (memory) near3 (processor)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:49
L8	292	(portable) near3 (memory) near3 (processor) with (device)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:49
L9	3644	(portable) near3 (processor) near3 (device)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:50
L10	356	(portable) near3 (processor) near3 (device) near4 (memory)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:50
L11	87	(portable) near3 (memory) near3 (processor) near4 (device) same (software or program or instruction\$1)	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:52
L12	29	(portable) near3 (memory) near3 (processor) near4 (device) same (software or program or instruction\$1) and @ad<"20040324"	US-PGPUB; USPAT; EPO; IBM_TDB	OR	OFF	2012/10/05 12:53
S85	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S86	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR;	OR	ON	2011/05/05 19:59

			EPO; DERWENT; IBM_TDB			
S87	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S88	3	709/220.ccls. and (portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S89	60711	(client or user) same (access) with (point)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S90	739	(client or user) same (access) with (point) same (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S91	67	(client or user) same (access) with (point) same (USB) same (secure or encrypt\$3) and (portable or mobile or handheld or palm)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S92	11	(client or user) same (access) with (point) same (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S93	110	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S94	2	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3) and @ay< "2004,03,24"	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S95	14586	(remote) same (access) same (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S96	7718	(remote) same (access) near4 (point) same (device or module)	US-PGPUB; USPAT; USOCR;	OR	ON	2011/05/05 19:59

			EPO; DERWENT; IBM_TDB			
S97	15	(remote) same (access) near4 (point) same (device or module) same (USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S98	460	(remote) same (access) near4 (point) same (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S99	13	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S100	6	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S101	1128	(client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S102	116	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S103	53	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S104	6	709/250.ccls. and (client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S105	16	709/250.ccls. and (access) near4 (point) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S106	16	709/250.ccls. and (access) near4 (point) same (portable or pluggable) same (device or module or USB) and	US-PGPUB; USPAT; USOCR;	OR	ON	2011/05/05 19:59

		(secure or encrypt\$4)	EPO; DERWENT; IBM_TDB			
S107	70	709/250.ccls. and (access) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S108	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S109	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S110	105595	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S111	1003623	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S112	1206	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S113	1831	(portable) with (security or secure) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S114	339	(portable) near4 (security or secure) near4 (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S115	1527	(portable) with (security or secure) with (key) same (terminal or system or device)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S116	260	(portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR;	OR	ON	2011/05/05 19:59


			EPO; DERWENT; IBM_TDB			
S117	13	(portable) with (security or secure) with (key) with (terminal or system or device) with (access) and (thumb)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S118	0	("2007/0170239").URPN.	USPAT	OR	ON	2011/05/05 19:59
S119	260	(portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S120	119	(portable) with (security or secure) with (key) with (terminal or system or device) with (access) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S121	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S122	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S123	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S124	7	"861133".ap.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S125	0	portable.clm. and tunneling.clm. and storage.clm. and processing.clm. and "input.clm" and component.clm. and universal.clm. and serial.clm. and bus.clm. and memory.clm. and instructions.clm. and terminal.clm. and interactive.clm. and command.clm. and "display.clm" and server.clm. and "encrypt.clm" and decrypt.clm.	US-PGPUB; USPAT	OR	ON	2011/05/05 19:59
S126	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S127	19	713/150.ccls. and (portable) same	US-PGPUB;	OR	ON	2011/05/05

		(device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	USPAT; USOCR; EPO; DERWENT; IBM_TDB			19:59
S128	2	"7454783".pn.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S129	13045	(USB) same (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S130	6703	(USB) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S131	480	(USB) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S132	24	(USB) with (security) with (key) with (network) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:08
S133	8	(USB) with (security) with (key) with (network) with (access) and printer	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/06 11:16
S134	23	("5363369" "6332193" "6405203" "6732278" "6839353").PN. OR ("7103772").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/05/06 11:18
S135	14	(portable) same (tunnel) same (USB) same ((personal) near3 (computer) or PC)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 10:57
S136	1	(remote) same (portable) same (tunnel) same (USB) same ((personal) near3 (computer) or PC)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:01
S137	1	("7051157").PN.	USPAT; USOCR	OR	OFF	2011/10/26 11:03
S138	1	("7441262").PN.	USPAT; USOCR	OR	OFF	2011/10/26 11:05

S139	41	711/115.ccls. and (portable) same (USB) same ((personal) near3 (computer) or PC) and (network)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:08
S140	5	711/115.ccls. and (portable) same (USB or memory) same ((personal) near3 (computer) or PC) same (network) same (access\$5)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:17
S141	20	("20020095416" "20020147912" "20030115415" "20030212862" "20040220899" "4777590" "4993068" "5522049" "5581763" "6105148" "6177957" "6374328" "6748537" "6795966").PN. OR ("7051157").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/10/26 11:26
S142	14	("7103772" "20050198221" "7454783" "7762470" "7032240" "20040127254" "6763399" "6970927" "20060071066" "20050197859" "7213766" "6732278" "20050132183" "7310734").PN.	US-PGPUB; USPAT; EPO	OR	OFF	2012/02/10 16:23
S143	11	S142 and (portable) same (memory or storage)	US-PGPUB; USPAT; EPO	OR	OFF	2012/02/10 16:24

10/ 5/ 2012 1:58:47 PM

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<p style="text-align: center;">Search Notes</p> 	<p>Application/Control No.</p> <p>12950321</p>	<p>Applicant(s)/Patent Under Reexamination</p> <p>MCNULTY, SCOTT</p>
	<p>Examiner</p> <p>ASGHAR BILGRAMI</p>	<p>Art Unit</p> <p>2443</p>

SEARCHED			
Class	Subclass	Date	Examiner
709	250, 220	10/5/2012	AB
713	150	10/5/2012	AB

SEARCH NOTES		
Search Notes	Date	Examiner
U.S.PAT, PG-PUB, EPO	10/5/2012	AB
Inventor Name search	5/5/2011	AB
Assignee search	5/5/2011	AB
Double Patenting search	5/5/2011	AB
101 Compliance search	5/5/2011	AB

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

	<p>/ASGHAR BILGRAMI/ Primary Examiner.Art Unit 2443</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	12/950,321	Confirmation No.:	7529
Applicant:	Scott McNulty	Group Art Unit:	2614
		Examiner:	Asghar H. Bilgrami
Filed:	November 19, 2010		
		Customer No.:	85775

For: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

RESPONSE TO OFFICE ACTION

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

Sir:

This paper is responsive to the Office Action issued on October 25, 2012, for which a three-month shortened statutory period of time for response expires January 25, 2013. Applicant respectfully requests reconsideration of the present application in view of the following remarks.

Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Listing of Claims

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

Claim 1 (previously presented): A portable device, comprising:

(a) an external communications interface configured to enable the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface;

(b) a processor; and

(c) a memory having executable program code stored thereon, including:

(1) first program code which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;

(2) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node; and

(3) third program code which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communications network node;

wherein the portable device is configured to effect the display on the first output component of processing activity of program code stored on the portable device memory; and

wherein the portable device is configured to communicate with the terminal and to communicate through the terminal network interface with the communications network node.

Claim 2 (original): The portable device of claim 1, wherein the external communication interface is a universal serial bus interface.

Claim 3 (original): The portable device of claim 1, wherein the external communication interface is a wireless communication interface.

Claim 4 (original): The portable device of claim 3, wherein the wireless communication interface employs Bluetooth connectivity protocol.

Claim 5 (original): The portable device of claim 3, wherein the wireless communication interface employs WiFi connectivity protocol.

Claim 6 (original): The portable device of claim 1, wherein the device memory comprises one or more of the group consisting of flash memory, read only memory, random access memory, micro hard drives and the like.

Claim 7 (previously presented): The portable device of claim 1, wherein the communications network comprises a local area network.

Claim 8 (previously presented): The portable device of claim 7, wherein the communications network node comprises a server.

Claim 9 (previously presented): The portable device of claim 7, wherein the communications network node comprises a data storage system.

Claim 10 (original): The portable device of claim 9, wherein the data storage system comprises a redundant array of independent disks.

Claim 11 (previously presented): The portable device of claim 7, wherein the communications network node comprises a printer.

Claim 12 (previously presented): The portable device of claim 7, wherein the communications network comprises a wireless local area network.

Claim 13 (previously presented): The portable device of claim 1, wherein the communications network comprises a wide area network.

Claim 14 (previously presented): The portable device of claim 1, wherein the communications network comprises the Internet.

Claim 15 (previously presented): The portable device of claim 14, wherein the communications network node comprises a server.

Claim 16 (previously presented): The portable device of claim 14, wherein the communications network node comprises a data storage system.

Claim 17 (original): The portable device of claim 16, wherein the data storage system comprises a redundant array of independent disks.

Claim 18 (previously presented): The portable device of claim 14, wherein the communications network node comprises an intermediary node.

Claim 19 (original): The portable device of claim 18, wherein the intermediary node comprises a router.

Claim 20 (previously presented): The portable device of claim 1, wherein the communications network comprises a wireless network.

Claim 21 (canceled).

Claim 22 (previously presented): The portable device of claim 1, wherein the first program code is configured to be executed by the portable device processor.

Claim 23 (previously presented): The portable device of claim 1, wherein the first program code is configured to be executed by the terminal processor.

Claim 24 (original): The portable device of claim 1, wherein the first output component comprises a display device.

Claim 25 (previously presented): A method implemented on a portable device comprising a processor, a memory having executable program code stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

- (a) executing first program code stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;
- (b) executing second program code stored on the portable device memory to enable the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;
- (c) executing third processing code stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;
- (d) causing a communication to be transmitted to a communications network node;
and
- (e) effecting the display on the first output component of processing activity of program code stored on the portable device memory.

Claim 26 (canceled).

Claim 27 (previously presented): The method of claim 25 wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component.

Claim 28 (canceled).

Claim 29 (previously presented): A method implemented on a portable device comprising a processor, a memory having executable program code stored thereon, and an external communications interface for enabling the transmission of a plurality of communications between the portable device and a terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the method comprising:

- (a) providing the terminal with access to first program code stored on the portable device memory which, when executed by the terminal processor, causes an interactive user interface to be presented on the first output component, wherein the interactive user

interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;

- (b) providing the terminal with access to second program code stored on the portable device memory which, when executed by the terminal processor, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;
- (c) executing third program code stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;
- (d) causing a communication to be transmitted to a communications network node;
- and
- (e) effecting the display on the first output component of processing activity of program code stored on the portable device memory.

Claim 30 (previously presented): A non-transitory computer readable medium containing executable program code to be executed by a computer system comprising a portable device and a terminal, the portable device comprising an external communications interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, and the terminal comprising a terminal processor, a first input component, a first output component, and a network interface, the program code comprising:

- (a) first program code which, when executed, causes an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;
- (b) second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

(c) third program code which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communication network node.

Claim 31 (canceled).

Claim 32 (previously presented): The non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the portable device processor.

Claim 33 (previously presented): The non-transitory computer readable medium of claim 30, wherein the first program code is configured to be executed by the terminal processor.

Claim 34 (previously presented): A system implementing a terminal having a terminal processor, a first input device, a first output device, and a network interface, the system comprising:

- (a) a communications network node; and
- (b) a portable device comprising an external communication interface for enabling the transmission of a plurality of communications between the portable device and the terminal, a processor and a memory, wherein the memory has executable program code stored thereon, the portable device configured to:
 - (1) execute first program code stored on the portable device memory to cause an interactive user interface to be presented on the first output component, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory;
 - (2) provide the terminal with access to second program code stored on the portable device memory which, when executed by the terminal processor, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node;

- (3) execute third program code stored on the portable device memory in response to a communication resulting from user interaction with the interactive user interface;
- (4) cause a communication to be transmitted to the communication network node; and
- (5) effect the display on the first output component of processing activity of program code stored on the portable device memory.

Claim 35 (canceled).

Claim 36 (previously presented): The system of claim 35, wherein executing the first program code stored on the portable device memory causes the terminal processor to present an interactive user interface on the first output component.

Claim 37 (canceled).

REMARKS**I. Status Of The Claims**

Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are pending in the present application.

II. Response to Rejections under 35 U.S.C. §103(a)

Claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,051,157 (“James”) and U.S. Patent Publication No. 2002/0044663 A1 (“King”). James discloses a hot-pluggable portable memory device which contains an applications software package configured to be executed by the host computer processor directly from the portable memory device. As acknowledged by the Examiner, James fails to disclose, teach or suggest that the portable memory device includes an on-board processor. The Examiner has asserted, however, that it would have been obvious to incorporate an on-board processor (as disclosed in King) in the portable memory device disclosed in James “in order to make the portable memory device more robust by minimizing the downtime to process the program code.” Applicant respectfully traverses these rejections and submits that claims 1-20, 22-25, 27, 29-30, 32-34 and 36 are patentably distinct over James and King for at least the following reasons.

Applicant respectfully traverses these rejections on the grounds that it would not have been obvious to one of ordinary skill in the art to include an on-board processor on the portable memory device disclosed in James. The entire focus of James involves the use of the host computer processor to directly execute applications software stored on the portable memory device. Including an on-board processor would be contrary to this fundamental aspect of James. Further, James does not disclose, teach or suggest any function, operation or activity by the portable memory device or the host computer which would benefit from including an on-board

processor. Rather, including an on-board processor would interfere with the host computer processor's ability to directly execute applications software stored on the portable device memory. Accordingly, applicant respectfully submits that this rejection is improper and should be withdrawn.

Applicant further traverses these rejections on the grounds that the Examiner's proposed combination of James and King does not yield the invention recited in the pending claims. Namely, modifying James to include an on-board processor does not result in a portable device having stored program code which, when executed, provides the interactivity or connectivity with the terminal (e.g., host computer) and communications network node as recited in the pending claims.

Specifically, James fails to disclose, teach or suggest a portable device having "first program code which, when executed, causes an interactive user interface to be presented on the first output device, wherein the interactive user interface is configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory." To the extent that James discloses program code stored on the portable storage device which, when executed, causes an interactive user interface to be presented on the host computer display screen, any such interactive user interface is exclusively configured to enable the user to cause the host computer processor to execute program code stored on the portable storage device. Modifying James to include a processor on the portable memory device, as proposed by the Examiner, does not change the fact that any interactive user interface disclosed in James is exclusively configured to enable the user to cause the host computer processor to directly execute the applications software package stored on the portable memory device. Moreover, King does not cure these deficiencies as it does not disclose, teach or suggest a portable device having program code which, when executed, causes an interactive user interface to be presented

on the host computer display screen, let alone an interactive user interface configured to enable the user to cause the portable device processor to execute program code stored on the portable device memory.

In addition, James fails to disclose, teach or suggest a portable device having “second program code which, when executed, enables the portable device to (i) receive a communication resulting from user interaction with the interactive user interface and (ii) cause a communication to be sent through the terminal network interface to a communications network node.” James makes clear that the access to and execution of stored applications software by the host computer processor are enabled by and under the control of the host computer operating system. See, Col. 3, lns. 28-30 (“the applications software package runs from the memory device by making use of the operating system and processor of the host computer”); Col. 3, lns. 45-48 (“the applications software package being configured to run from the memory device, upon connection thereof to the host computer, by making use of the operating system and processor of the host computer”); Col. 5, lns. 7-33 (“A central feature of the present invention is the relegation of the role of a personal computer or the like to a mere service “shell”, providing a CPU, an operating system . . . the portable memory device and applications software stored thereon of embodiments of the present invention is substantially self-contained, requiring only the addition of a service environment provided by a host computer in order for the applications software and other data to be accessed, and to continue to function, with data processing recommencing from where it left off. Thus, when reconnecting the memory device to the same or a different host computer, there is no need to go through a start-up procedure (provided that the processor and operating system of the host computer are already up and running)--the screen presents a task of the applications software as it was when the memory device was most recently disconnected.”); Claim 1 at Col. 14, lns. 13-15 (“the applications software package runs form the

memory device by making use of the operating system and processor of the host computer”); Claim 2 at Col. 14, lns. 35-38 (“the applications software package being configured to run from the memory device, upon connection thereof to the host computer, by making use of the operating system and processor of the host computer”).

James does not disclose, teach or suggest program code stored on the portable memory device which enables communications between the portable storage device, host computer and/or a communications network node. Modifying James to include a processor on the portable memory device, as proposed by the Examiner, does not cure these deficiencies. Like James, King fails to disclose, teach or suggest a portable device having program code which, when executed, enables the portable device to either (i) receive a communication resulting from user interaction with the interactive user interface or (ii) cause a communication to be sent through the host computer network interface to a communications network node.

Furthermore, James fails to disclose, teach or suggest a portable device having “third program code which, when executed by the portable device processor in response to a communication resulting from user interaction with the interactive user interface, causes a communication to be transmitted to a communication network node.” As discussed above, not only does James fail to disclose, teach or suggest an on-board processor, it also fails to disclose, teach or suggest an interactive user interface configured to enable a user to cause the portable storage device to perform any processing activity. Accordingly, James necessarily further fails to disclose, teach or suggest a portable storage device configured to execute stored program code in response to a communication resulting from user interaction with the interactive user interface, let alone program code executed by an on-board processor which causes a communication to be transmitted to a communication network node. Modifying James to include a processor on the portable memory device, as proposed by the Examiner, does not remedy these deficiencies. As

noted above, James is exclusively directed to a system where the host computer processor executes applications software directly from the portable storage device. James does not disclose, teach or suggest any function, operation or processing activity performed by an on-board processor. More specifically, even if James were reconfigured to include an on-board processor, James does not disclose, teach or suggest any functions, operations or processing activity to be performed by such an on-board processor. Namely, the execution of stored program code in response to receiving a communication initiated by user interactive with an interactive user interface, wherein the execution of the stored program code causes a communication to be sent through the host computer network interface to a communications network node. Like James, King also fails to disclose, teach or suggest a device having an on-board processor configured to execute stored program code in response to receiving a communication initiated by user interaction with an interactive user interface, wherein the execution of the stored program code causes a communication to be sent through the host computer network interface to a communications network node.

Accordingly, applicant respectfully submits that neither James nor King, taken alone or in combination, disclose, teach or suggest the configuration, interactivity or connectivity of the present invention as recited in the pending claims.

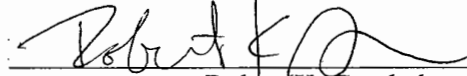
CONCLUSION

Based on the foregoing remarks it is respectfully submitted that all of the claims are allowable and early, favorable action in that regard is requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 504827, Order No. 1004294.012US.

Respectfully submitted,
LOCKE LORD LLP



Robert K. Goethals
Registration No. 36,813

Dated: January 25, 2013

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Electronic Acknowledgement Receipt

EFS ID:	14796674
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
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Attorney Docket Number:	1004294.012US
Receipt Date:	25-JAN-2013
Filing Date:	19-NOV-2010
Time Stamp:	16:26:51
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		1004294012US_Response.pdf	655158 0fe63fb55023a913a83040d2dd38c9b99cbe1b7e	yes	14

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	8
Applicant Arguments/Remarks Made in an Amendment	9	14
Warnings:		
Information:		
Total Files Size (in bytes):	655158	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 12/950,321		Filing Date 11/19/2010		<input type="checkbox"/> To be Mailed		
APPLICATION AS FILED – PART I					OTHER THAN SMALL ENTITY						
(Column 1)		(Column 2)			SMALL ENTITY <input checked="" type="checkbox"/>		OR				
FOR		NUMBER FILED		NUMBER EXTRA			RATE (\$)		FEE (\$)		
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>		N/A		N/A			N/A		N/A		
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>		N/A		N/A			N/A		N/A		
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>		N/A		N/A			N/A		N/A		
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>		minus 20 =		*			X \$ =		OR		
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>		minus 3 =		*			X \$ =		X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>											
* If the difference in column 1 is less than zero, enter "0" in column 2.											
APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY						
(Column 1)		(Column 2)		(Column 3)			SMALL ENTITY		OR		
AMENDMENT	01/25/2013		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA		RATE (\$)	
	Total <small>(37 CFR 1.16(i))</small>		* 31		Minus ** 37			= 0		X \$31 =	
	Independent <small>(37 CFR 1.16(h))</small>		* 5		Minus *** 5			= 0		X \$125 =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>										
TOTAL ADD'L FEE		0		OR			TOTAL ADD'L FEE				
(Column 1)		(Column 2)		(Column 3)			SMALL ENTITY		OR		
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
	Total <small>(37 CFR 1.16(i))</small>		*		Minus **			=		X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>		*		Minus ***			=		X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>										
TOTAL ADD'L FEE				OR			TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.											
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".											
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".											
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.											
							Legal Instrument Examiner: /EVELYN NIMMONS/				

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



NOTICE OF ALLOWANCE AND FEE(S) DUE

85775 7590 05/10/2013
Locke Lord LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

EXAMINER: BILGRAMI, ASGHAR H
ART UNIT: 2443
PAPER NUMBER

DATE MAILED: 05/10/2013

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

12/950,321 11/19/2010 SCOTT MCNULTY 1004294.012US 7529
TITLE OF INVENTION: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

85775 7590 05/10/2013
 Locke Lord LLP
 Attn: IP Docketing
 Three World Financial Center
 New York, NY 10281-2101

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/950,321	11/19/2010	SCOTT MCNULTY	1004294.012US	7529

TITLE OF INVENTION: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$300	\$0	\$1190	08/12/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
BILGRAMI, ASGHAR H	2443	709-217000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address Form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2 _____ 3
--	--

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)
 PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.
 (A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted: <input type="checkbox"/> Issue Fee <input type="checkbox"/> Publication Fee (No small entity discount permitted) <input type="checkbox"/> Advance Order - # of Copies _____	4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) <input type="checkbox"/> A check is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).
--	---

5. **Change in Entity Status** (from status indicated above)

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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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

Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER. Includes application details for SCOTT MCNULTY and examiner BILGRAMI, ASGHAR H.

DATE MAILED: 05/10/2013

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	AIA (First Inventor to File) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 1/25/2013.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. 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.
3. The allowed claim(s) is/are 1-20. As a result of the allowed claim(s), 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 or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some *c) None of the:
 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)).

* Certified copies not received: _____.

Interim copies:

- a) All b) Some c) None of the: Interim copies of the priority documents have been received.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ | <ol style="list-style-type: none"> 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 6. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____ |
|---|---|

/Asghar Bilgrami/
Primary Examiner, Art Unit 2443

DETAILED ACTION

Allowance

1. Claims 1-20, 22-25, 27, 29, 30, 32-34 and 36 are allowed.
2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asghar Bilgrami/
Primary Examiner, Art Unit 2443

Search Notes 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	250, 220	5/1/2013	AB
713	150	5/1/2013	AB
711	115	5/1/2013	AB

SEARCH NOTES		
Search Notes	Date	Examiner
U.S.PAT, PG-PUB, EPO	5/1/2013	AB
Inventor Name search	5/5/2011	AB
Assignee search	5/5/2011	AB
Double Patenting search	5/5/2011	AB
101 Compliance search	5/5/2011	AB

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
PG-PUB	ALL	5/1/2013	AB

	/ASGHAR BILGRAMI/ Primary Examiner.Art Unit 2443
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Issue Classification 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

CPC			Type	Version
Symbol				

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version


US ORIGINAL CLASSIFICATION				INTERNATIONAL CLASSIFICATION								
CLASS		SUBCLASS		CLAIMED				NON-CLAIMED				
709		220		G	0	6	F	15 / 16 (2006.0)				
CROSS REFERENCE(S)				G	0	6	F	15 / 177 (2006.0)				
				H	0	4	L	29 / 06 (2006.0)				
				G	0	6	F	13 / 00 (2006.01.01)				
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											
709	250											
713	150											

NONE	Total Claims Allowed: 31	
(Assistant Examiner) /ASGHAR BILGRAMI/ Primary Examiner. Art Unit 2443	(Date) 05/01/2013	O.G. Print Claim(s) 1
(Primary Examiner)	(Date)	O.G. Print Figure 1

Issue Classification 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	

711	115																				

NONE		Total Claims Allowed:	
		31	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/ASGHAR BILGRAMI/ Primary Examiner.Art Unit 2443	05/01/2013	1	1
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant																<input type="checkbox"/> CPA		<input checked="" type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
1	1	17	17	29	33																
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16	16	28	32																		

NONE		Total Claims Allowed:	
		31	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/ASGHAR BILGRAMI/ Primary Examiner.Art Unit 2443	05/01/2013	1	1
(Primary Examiner)	(Date)		

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	3	709/220.ccls. and (portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2013/05/01 14:46
L2	17	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2013/05/01 14:46
L3	28	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2013/05/01 14:46
L4	5	711/115.ccls. and (portable) same (USB or memory) same ((personal) near3 (computer) or PC) same (network) same (access\$5)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2013/05/01 14:47
S85	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S86	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S87	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S88	3	709/220.ccls. and (portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S89	60711	(client or user) same (access) with (point)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

S90	739	(client or user) same (access) with (point) same (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S91	67	(client or user) same (access) with (point) same (USB) same (secure or encrypt\$3) and (portable or mobile or handheld or palm)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S92	11	(client or user) same (access) with (point) same (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S93	110	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S94	2	(client or user) same (access) adj (point) and (USB or thumb) near3 (drive) same (secure or encrypt\$3) and @ay<"2004,03,24"	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S95	14586	(remote) same (access) same (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S96	7718	(remote) same (access) near4 (point) same (device or module)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S97	15	(remote) same (access) near4 (point) same (device or module) same (USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S98	460	(remote) same (access) near4 (point) same (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S99	13	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

S100	6	(remote) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S101	1128	(client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S102	116	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S103	53	(client or user) same (access) near4 (point) same (portable) with (device or module) same (secure or encrypt\$4) and (USB)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S104	6	709/250.ccls. and (client or user) same (access) near4 (point) and (portable) with (device or module) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S105	16	709/250.ccls. and (access) near4 (point) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S106	16	709/250.ccls. and (access) near4 (point) same (portable or pluggable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S107	70	709/250.ccls. and (access) same (portable) same (device or module or USB) and (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S108	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S109	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59

S110	105595	(portable) wtih (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S111	1003623	(portable) wtih (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S112	1206	(portable) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S113	1831	(portable) with (security or secure) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S114	339	(portable) near4 (security or secure) near4 (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S115	1527	(portable) with (security or secure) with (key) same (termial or system or device)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S116	260	(portable) with (security or secure) with (key) with (termial or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S117	13	(portable) with (security or secure) with (key) with (termial or system or device) with (access) and (thumb)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S118	0	("2007/0170239").URPN.	USPAT	OR	ON	2011/05/05 19:59
S119	260	(portable) with (security or secure) with (key) with (terminal or system or device) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S120	119	(portable) with (security or secure) with (key) with (terminal or system or device) with (access) and (USB)	US-PGPUB; USPAT; USOCR; EPO;	OR	ON	2011/05/05 19:59

			DERWENT; IBM_TDB			
S121	1	("7412514").PN.	USPAT; USOCR	OR	OFF	2011/05/05 19:59
S122	3033	Hendrick.in.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S123	15	Hendrick.in. and (portable) with (medium)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S124	7	"861133".ap.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S125	0	portable.clm. and tunneling.clm. and storage.clm. and processing.clm. and "input.clm" and component.clm. and universal.clm. and serial.clm. and bus.clm. and memory.clm. and instructions.clm. and terminal.clm. and interactive.clm. and command.clm. and "display.clm" and server.clm. and "encrypt.clm" and decrypt.clm.	US-PGPUB; USPAT	OR	ON	2011/05/05 19:59
S126	14	709/250.ccls. and (access) same (portable) same (device or module or USB) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S127	19	713/150.ccls. and (portable) same (device or module or USB) same (access\$4) same (network or WAN or LAN) same (secure or encrypt\$4)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S128	2	"7454783".pn.	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 19:59
S129	13045	(USB) same (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S130	6703	(USB) with (key)	US-PGPUB; USPAT; USOCR; EPO;	OR	ON	2011/05/05 20:05

			DERWENT; IBM_TDB			
S131	480	(USB) with (security) with (key)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:05
S132	24	(USB) with (security) with (key) with (network) with (access)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/05 20:08
S133	8	(USB) with (security) with (key) with (network) with (access) and printer	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/05/06 11:16
S134	23	("5363369" "6332193" "6405203" "6732278" "6839353").PN. OR ("7103772").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/05/06 11:18
S135	14	(portable) same (tunnel) same (USB) same ((personal) near3 (computer) or PC)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 10:57
S136	1	(remote) same (portable) same (tunnel) same (USB) same ((personal) near3 (computer) or PC)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:01
S137	1	("7051157").PN.	USPAT; USOCR	OR	OFF	2011/10/26 11:03
S138	1	("7441262").PN.	USPAT; USOCR	OR	OFF	2011/10/26 11:05
S139	41	711/115.ccls. and (portable) same (USB) same ((personal) near3 (computer) or PC) and (network)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:08
S140	5	711/115.ccls. and (portable) same (USB or memory) same ((personal) near3 (computer) or PC) same (network) same (access\$5)	US-PGPUB; USPAT; USOCR; EPO; DERWENT; IBM_TDB	OR	ON	2011/10/26 11:17
S141	20	("20020095416" "20020147912" "20030115415" "20030212862" "20040220899" "4777590" "4993068" "5522049" "5581763" "6105148" "6177957" "6374328" "6748537" "6795966").PN. OR ("7051157").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/10/26 11:26
S142	14	("7103772" "20050198221" "7454783" "7762470" "7032240"	US-PGPUB; USPAT;	OR	OFF	2012/02/10 16:23

		"20040127254" "6763399" "6970927" "20060071066" "20050197859" "7213766" "6732278" "20050132183" "7310734").PN.	EPO			
S143	11	S142 and (portable) same (memory or storage)	US-PGPUB; USPAT; EPO	OR	OFF	2012/02/10 16:24

5/ 1/ 2013 2:51:37 PM

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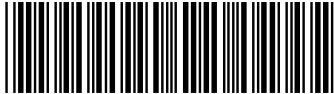
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BIB DATA SHEET

CONFIRMATION NO. 7529

SERIAL NUMBER 12/950,321	FILING or 371(c) DATE 11/19/2010 RULE	CLASS 709	GROUP ART UNIT 2443	ATTORNEY DOCKET NO. 1004294.012US	
APPLICANTS SCOTT MCNULTY, Rowayton, CT; ** CONTINUING DATA ***** This application is a CON of 10/807,731 03/23/2004 PAT 7861006 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 12/02/2010					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /ASGHAR H BILGRAMI/ Acknowledged _____ Examiner's Signature	<input type="checkbox"/> Met after Allowance AB Initials _____	STATE OR COUNTRY CT	SHEETS DRAWINGS 10	TOTAL CLAIMS 37	INDEPENDENT CLAIMS 5
ADDRESS Locke Lord LLP Attn: IP Docketing Three World Financial Center New York, NY 10281-2101 UNITED STATES					
TITLE APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT					
FILING FEE RECEIVED 1124	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

Index of Claims 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed

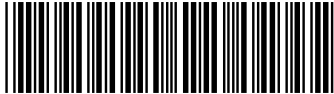
-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
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<i>Index of Claims</i> 	Application/Control No. 12950321	Applicant(s)/Patent Under Reexamination MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	10/05/2012							
	37	-							



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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, DELIVERY MODE. Contains application details for SCOTT MCNULTY.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Application No. : 12950321
Applicant : McNulty
Filing Date : 11/19/2010
Date Mailed : 06/20/2013

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 1 month from the mail date of this Notice, or the time remaining from the Notice of Allowance and Fee(s) Due, whichever is longer, within which to respond.

The application is not in compliance with 37 CFR 1.78, as indicated in the attachment. The consequences of failure to respond within the above-identified time period are set forth in the attachment.

Even if the Office has recognized a benefit claim and has entered it into the Office's database and included it on applicant's filing receipt, the benefit claim is not a proper benefit claim unless the reference in compliance with 37 CFR 1.78 is included, depending upon the application's filing date and as indicated in the attachment, in an application data sheet or in the first sentence(s) of the specification and all other requirements are met.

This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to "Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".*

/Kam Sin/
Publication Branch
Office of Data Management
(571) 272-4200

**APPLICATION FILED PRIOR TO SEPTEMBER 16, 2012,
NOT IN COMPLIANCE WITH 37 CFR 1.78**

- The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification does not indicate the relationship (continuation, division, continuation-in-part) to the prior U.S. nonprovisional application or international application designating the U.S. See document coded ADS dated 11/19/2010, listing application number(s) 10807731.
- The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification following the title does not provide the U.S. nonprovisional application number (series code and serial number) or, with respect to an international PCT application designating the U.S., it provides the international application number or international filing date but not both. See document coded dated , in which the following is missing: .
- The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification following the title shows an incorrect, incomplete, or illegible U.S. nonprovisional application number, international PCT application number, or international PCT filing date. See document coded dated , in which the following error was made: .
- The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet or in the first sentence(s) of the specification following the title, thus removing the validating link under 35 U.S.C. 119(a)-(d) to a prior foreign application or under 35 U.S.C. 119(e) to a prior U.S. provisional application.
- The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet or in the first sentence(s) of the specification following the title.
- The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application is not present on an application data sheet or in first sentence(s) of the specification following the title.
- The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet or in first sentence(s) of the specification following the title does not provide the provisional application number (series code and serial number). See document coded dated , in which the following is missing: .
- The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet or in first sentence(s) of the specification following the title shows an incorrect, incomplete, or illegible U.S. provisional application number. See document coded dated , in which the following error was made: .
- Other: .

HOW TO RESPOND

A proper response to this notice would include any one of: (1) a supplemental Application Data Sheet (ADS) pursuant to 37 CFR 1.76(c) which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5); (2) an amendment to the first sentence(s) of the specification which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5); or (3) a petition filed pursuant to the provisions of 37 CFR 1.78(a)(3) or 37 CFR 1.78(a)(6) if the benefit information from the document identified above by code and date does not accurately reflect the benefits under 35 U.S.C. 119(e), 120, 121 or 365(c) as claimed by applicant (a grantable petition would include either a supplemental ADS or an amendment to the first sentence(s) of the specification as required by 37 CFR 1.78(a)(3)(i) or 37 CFR 1.78(a)(6)(i)). Such amendments to the specification or supplemental ADS submission may be filed after payment of the issue fee if limited to informalities noted herein. See Waiver of 37 CFR 1.312 for Document Required by Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004).

WARNING: If Applicant fails to timely submit a proper response, the benefit information will be deleted and the patent will be printed without the benefit information present.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1004294.012US
		Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2

<input type="checkbox"/>	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
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Inventor Information:

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
Mr.	Scott		McNulty			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						
City	Rowayton	State/Province	CT	Country of Residence	US	
Mailing Address of Inventor:						
Address 1	22 Ensign Road					
Address 2						
City	Rowayton	State/Province	CT			
Postal Code	06853	Country	US			
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.						Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).		
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.		
Customer Number	85775	
Email Address	ptopatentcommunication@lockelord.com	Add Email Remove Email

Application Information:

Title of the Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT		
Attorney Docket Number	1004294.012US	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	10	Suggested Figure for Publication (if any)	

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Publication Information:

Request Early Publication (Fee required at time of Request 37 CFR 1.219)

Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)
Customer Number	85775		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

Prior Application Status	Pending	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12950321	Continuation of	10807731	2004-03-23
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			<input type="button" value="Add"/>

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX) the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

<input type="button" value="Remove"/>			
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ^j (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			<input type="button" value="Add"/>

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

Authorization to Permit Access to the Instant Application by the Participating Offices

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Applicant 1	<input type="button" value="Remove"/>
<p>If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.</p>	
<input type="button" value="Clear"/>	
<input type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117
<input type="radio"/> Person to whom the inventor is obligated to assign.	<input type="radio"/> Person who shows sufficient proprietary interest
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:	
<input type="text"/> <input type="text"/>	
Name of the Deceased or Legally Incapacitated Inventor : <input type="text"/>	
If the Applicant is an Organization check here. <input type="checkbox"/>	

Prefix	Given Name	Middle Name	Family Name	Suffix
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Mailing Address Information:				
Address 1	<input type="text"/>			
Address 2	<input type="text"/>			
City	<input type="text"/>	State/Province	<input type="text"/>	
Country ⁱ	<input type="text"/>	Postal Code	<input type="text"/>	
Phone Number	<input type="text"/>	Fax Number	<input type="text"/>	
Email Address	<input type="text"/>			
Additional Applicant Data may be generated within this form by selecting the Add button.				<input type="button" value="Add"/>

Non-Applicant Assignee Information:

<p>Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.</p>
<p>Assignee 1</p> <p>Complete this section only if non-applicant assignee information is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). Do not include in this section an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest), as the patent application publication will include the name of the applicant(s).</p>
<input type="button" value="Remove"/>

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1004294.012US	
		Application Number		
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT			

If the Assignee is an Organization check here.

Prefix	Given Name	Middle Name	Family Name	Suffix

Mailing Address Information:

Address 1				
Address 2				
City		State/Province		
Country i	Postal Code			
Phone Number		Fax Number		
Email Address				

Additional Assignee Data may be generated within this form by selecting the Add button.

Add

Signature:

Remove

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications

Signature	/Robert K. Goethals/		Date (YYYY-MM-DD)	2013-07-26	
First Name	Robert	Last Name	Goethals	Registration Number	36813

Additional Signature may be generated within this form by selecting the Add button.

Add

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	16428279
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	26-JUL-2013
Filing Date:	19-NOV-2010
Time Stamp:	14:45:56
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	1004294012US_Supplemental ApplicationDataSheet.pdf	1505118 <small>89f9ad512c654f458ebfd1c097c48a9119e46320</small>	no	6

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Examiner-Initiated Interview Summary	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT	
	Examiner ASGHAR BILGRAMI	Art Unit 2443	

All participants (applicant, applicant's representative, PTO personnel):

- (1) ASGHAR BILGRAMI. (3)_____.
- (2) Robert K. Goethals (36.813). (4)_____.

Date of Interview: 30 July 2013.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 36.

Identification of prior art discussed: _____.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner contacted the applicant and inquired clarification on the dependence of claim 36. Applicant informed that dependent claim 36 depends on independent claim 34.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/Asghar Bilgrami/
Primary Examiner, Art Unit 2443

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

85775 7590 05/10/2013
Locke Lord LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/950,321	11/19/2010	SCOTT MCNULTY	1004294.012US	7529

TITLE OF INVENTION: APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$300	\$0	\$1190	08/12/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
BILGRAMI, ASGHAR H	2443	709-217000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> <p>1 <u>Locke Lord LLP</u></p> <p>2 _____</p> <p>3 _____</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent) : Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input checked="" type="checkbox"/> Issue Fee</p> <p><input checked="" type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number <u>504827</u> (enclose an extra copy of this form).</p>
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Order No. 1004294.012US

5. Change in Entity Status (from status indicated above)

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Robert K. Goethals/ Date August 6, 2013
Typed or printed name Robert K. Goethals Registration No. 36,813

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Electronic Patent Application Fee Transmittal

Application Number:	12950321			
Filing Date:	19-Nov-2010			
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT			
First Named Inventor/Applicant Name:	SCOTT MCNULTY			
Filer:	Robert Keaney Goethals/Anna Hill			
Attorney Docket Number:	1004294.012US			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	890	890
Publ. Fee- Early, Voluntary, or Normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1190

Electronic Acknowledgement Receipt

EFS ID:	16507985
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	06-AUG-2013
Filing Date:	19-NOV-2010
Time Stamp:	09:30:55
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1190
RAM confirmation Number	8506
Deposit Account	504827
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	1004294012US_IssueFee.pdf	253852 fe460178548658a5c5c3d24352ed468184c ced40	no	2

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	31666 126953e3194a39b1f3acb07f78793f1ac069 df3d	no	2
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Warnings:

Information:

Total Files Size (in bytes): 285518

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 12/950,321 Confirmation : 7529
Applicant(s) : Scott McNulty
Filed : November 19, 2010
Title : Apparatus, Method and System for a Tunneling Client Access Point

Art Unit : 2443
Examiner : Asghar H. Bilgrami

Docket No. : 1004294.012US
Customer No. : 85775

REPLY

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Notice To File Corrected Application Papers dated June 20, 2013, for which a shortened statutory period of time for response expires August 10, 2013.

- **Amendments to the Specification** begins on page 2 of this paper.
- **Remarks** begin on page 3 of this paper.

NY:1004294/012US:713889v1

Appl. No. 12/950,321
Paper dated August 6, 2013

Amendments to the Specification:

Following the title of the application on page 1 of the specification, please insert the following:

This application is a continuation application of U.S. application Ser. No. 10/807,731, filed on Mar. 23, 2003, now U.S. Pat. No. 7,861,006.

REMARKS

On July 26, 2013, Applicant filed a supplemental Application Data Sheet (ADS) pursuant to 37 C.F.R. 1.76(c) in response to Notice To File Corrected Applications Papers date June 20, 2013 to provide the benefit information of the present application to prior U.S. nonprovisional application serial number 10/807,731 filed March 23, 2004, now U.S. Patent No. 7,861,006, in compliance with 37 C.F.R. 1.78(a)(2).

Applicant further submit this Reply in response to Notice To File Corrected Applications Papers date June 20, 2013. This Reply includes an Amendment to the Specification which provides benefit information that complies with 37 C.F.R. 1.78(a)(2). Entry of the amendments to the specification is respectfully requested.

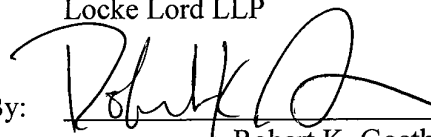
A copy of the Notice To File Corrected Applications Papers date June 20, 2013 is being submitted herewith.

CONCLUSION

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this Reply under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-4827, Order No. 1004294.012US.

Respectfully submitted,
Locke Lord LLP

By:



Robert K. Goethals
Registration No. 36,813

Dated: August 6, 2013

Correspondence Address:

Locke Lord LLP
3 World Financial Center
New York, NY 10281-2101
(212) 415-8522 Telephone
(212) 303-2754 Facsimile



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.
12 950,321	11/19/2010	SCOTT MCNULTY	1004294.012US	7529
85775	7590	06/20/2013	EXAMINER	
Locke Lord LLP Attn: IP Docketing Three World Financial Center New York, NY 10281-2101			BILGRAMI, ASGHAR H	
			ART UNIT	PAPER NUMBER
			2443	
			NOTIFICATION DATE	DELIVERY MODE
			06/20/2013	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Application No. : 12950321
Applicant : McNulty
Filing Date : 11/19/2010
Date Mailed : 06/20/2013

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 1 month from the mail date of this Notice, or the time remaining from the Notice of Allowance and Fee(s) Due, whichever is longer, within which to respond.

The application is not in compliance with 37 CFR 1.78, as indicated in the attachment. The consequences of failure to respond within the above-identified time period are set forth in the attachment.

Even if the Office has recognized a benefit claim and has entered it into the Office's database and included it on applicant's filing receipt, the benefit claim is not a proper benefit claim unless the reference in compliance with 37 CFR 1.78 is included, depending upon the application's filing date and as indicated in the attachment, in an application data sheet or in the first sentence(s) of the specification and all other requirements are met.

This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to "Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".*

/Kam Sin/
Publication Branch
Office of Data Management
(571) 272-4200

**APPLICATION FILED PRIOR TO SEPTEMBER 16, 2012,
NOT IN COMPLIANCE WITH 37 CFR 1.78**

- The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification does not indicate the relationship (continuation, division, continuation-in-part) to the prior U.S. nonprovisional application or international application designating the U.S. See document coded ADS dated 11/19/2010, listing application number(s) 10807731.
- The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification following the title does not provide the U.S. nonprovisional application number (series code and serial number) or, with respect to an international PCT application designating the U.S., it provides the international application number or international filing date but not both. See document coded dated , in which the following is missing:
- The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification following the title shows an incorrect, incomplete, or illegible U.S. nonprovisional application number, international PCT application number, or international PCT filing date. See document coded dated , in which the following error was made:
- The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet or in the first sentence(s) of the specification following the title, thus removing the validating link under 35 U.S.C. 119(a)-(d) to a prior foreign application or under 35 U.S.C. 119(e) to a prior U.S. provisional application.
- The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet or in the first sentence(s) of the specification following the title.
- The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application is not present on an application data sheet or in first sentence(s) of the specification following the title.
- The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet or in first sentence(s) of the specification following the title does not provide the provisional application number (series code and serial number). See document coded dated , in which the following is missing:
- The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet or in first sentence(s) of the specification following the title shows an incorrect, incomplete, or illegible U.S. provisional application number. See document coded dated , in which the following error was made:
- Other: .

HOW TO RESPOND

A proper response to this notice would include any one of: (1) a supplemental Application Data Sheet (ADS) pursuant to 37 CFR 1.76(c) which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5); (2) an amendment to the first sentence(s) of the specification which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5); or (3) a petition filed pursuant to the provisions of 37 CFR 1.78(a)(3) or 37 CFR 1.78(a)(6) if the benefit information from the document identified above by code and date does not accurately reflect the benefits under 35 U.S.C. 119(e), 120, 121 or 365(c) as claimed by applicant (a grantable petition would include either a supplemental ADS or an amendment to the first sentence(s) of the specification as required by 37 CFR 1.78(a)(3)(i) or 37 CFR 1.78(a)(6)(i)). Such amendments to the specification or supplemental ADS submission may be filed after payment of the issue fee if limited to informalities noted herein. See Waiver of 37 CFR 1.312 for Document Required by Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004).

WARNING: If Applicant fails to timely submit a proper response, the benefit information will be deleted and the patent will be printed without the benefit information present.

Electronic Acknowledgement Receipt

EFS ID:	16514812
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	06-AUG-2013
Filing Date:	19-NOV-2010
Time Stamp:	15:58:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		1004294012US_ReplyNoticeFileCorrectedApplicationPapers.pdf	220944 <small>fcc53ba4b32007f6b5484ab0a09b179f09834b9c</small>	yes	6

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Applicant Arguments/Remarks Made in an Amendment	2	6

Warnings:

Information:

Total Files Size (in bytes):	220944
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.		

Secrecy Order 37 CFR 5.2

<input type="checkbox"/>	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--------------------------	---

Inventor Information:

Inventor 1					<input type="button" value="Remove"/>
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
Mr.	Scott		McNulty		
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service					
City	Rowayton	State/Province	CT	Country of Residenceⁱ	US
City		Country of Residenceⁱ			
Mailing Address of Inventor:					
Address 1	22 Ensign Road				
Address 2					
City	Rowayton	State/Province	CT		
Postal Code	06853	Countryⁱ	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					<input type="button" value="Add"/>

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).						
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.						
Customer Number	85775					
Name 1		Name 2				
Address 1						
Address 2						
City		State/Province				
Country^j		Postal Code				
Phone Number		Fax Number				
Email Address	ptopatentcommunication@lockelord.com				<input type="button" value="Add Email"/>	<input type="button" value="Remove Email"/>

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Application Information:

Title of the Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT		
Attorney Docket Number	1004294.012US	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	10	Suggested Figure for Publication (if any)	
Plant Submissions Only:			
Latin Name		Variety Denomination Name	

Publication Information:

<input type="checkbox"/>	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/>	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)		
Customer Number	85775				
Prefix	Given Name	Middle Name	Family Name	Suffix	<input type="button" value="Remove"/>
Registration Number					
Prefix	Given Name	Middle Name	Family Name	Suffix	<input type="button" value="Remove"/>
Registration Number					

Additional Representative Information blocks may be generated within this form by selecting the **Add** button.

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1004294.012US		
		Application Number			
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT				
Prior Application Status	Patented	<input type="button" value="Remove"/>			
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)		
12950321	Continuation of	10807731	2004-03-23		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
12950321	Continuation of	10807731	2004-03-23	7861006	2010-12-28
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.					

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)ⁱ the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

<input type="button" value="Remove"/>			
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ⁱ (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

Authorization to Permit Access to the Instant Application by the Participating Offices

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
Applicant 1				
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.				
<input type="button" value="Clear"/>				
<input type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117	<input type="radio"/> Joint Inventor		
<input type="radio"/> Person to whom the inventor is obligated to assign.		<input type="radio"/> Person who shows sufficient proprietary interest		
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
Name of the Deceased or Legally Incapacitated Inventor : <input type="text"/>				
If the Applicant is an Organization check here. <input type="checkbox"/>				
Organization Name <input type="text"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Mailing Address Information For Applicant:			
Address 1			
Address 2			
City		State/Province	
Country ⁱ		Postal Code	
Phone Number		Fax Number	
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			

Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
Assignee 1				
Complete this section only if non-applicant assignee information is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). Do not include in this section an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest), as the patent application publication will include the name of the applicant(s).				
If the Assignee is an Organization check here. <input type="checkbox"/>				
Organization Name				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country ⁱ		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee Data may be generated within this form by selecting the Add button.				

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1004294.012US
	Application Number	
Title of Invention	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT	

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.					
Signature	/Robert K. Goethals/		Date (YYYY-MM-DD)	2013-08-08	
First Name	Robert	Last Name	Goethals	Registration Number	36813
Additional Signature may be generated within this form by selecting the Add button.					

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	16545303
Application Number:	12950321
International Application Number:	
Confirmation Number:	7529
Title of Invention:	APPARATUS, METHOD AND SYSTEM FOR A TUNNELING CLIENT ACCESS POINT
First Named Inventor/Applicant Name:	SCOTT MCNULTY
Customer Number:	85775
Filer:	Robert Keaney Goethals/Anna Hill
Filer Authorized By:	Robert Keaney Goethals
Attorney Docket Number:	1004294.012US
Receipt Date:	09-AUG-2013
Filing Date:	19-NOV-2010
Time Stamp:	10:15:53
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	1004294012US_2ndSupplementalApplicationDataSheet.pdf	2338276 <small>865fbb19ac59e0c36e839b916498b98316d98c20</small>	no	7

Warnings:

Information:

Total Files Size (in bytes):

2338276

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Appl. No. 12/950,321
Paper dated August 6, 2013

OK TO ENTER./AB/AUG-13-2013

Amendments to the Specification:

Following the title of the application on page 1 of the specification, please insert the following:

This application is a continuation application of U.S. application Ser. No. 10/807,731, filed on Mar. 23, 2003, now U.S. Pat. No. 7,861,006.

OK TO ENTER./AB/AUG-13-2013

PRINTER RUSH

(PTO ASSISTANCE)

Application: 12950321

Examiner: Bilgrami

GAU: 2443

From: Latoya Hill

Location: RTFM

Creation Date: 08/12/2013

Tracking #: Week Date:

<u>DOC CODE</u>	<u>DOC DATE</u>	<u>MISCELLANEOUS</u>
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW/FWCLM		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Petition (TC)
<input type="checkbox"/> DRW		<input type="checkbox"/> Other
<input checked="" type="checkbox"/> 312	<u>08/06/2013</u>	
<input type="checkbox"/> SPEC		

[RUSH] Message:

Please respond to the 8/6/13 A.NA.

thank you,
LH

[XRUSH] Response:

Amendment made to the specification on 8/6/2013 has been entered.

/AB/ Aug-13-2013

Initials: _____

Examiner: PUBS contacts - for DESIGNS: Don Fairchild, 703-756-1566; for ALL OTHER files: Bernadette Queen, 703-756-1565.

NOTE: This form will be included as part of the official USPTO record with the response document coded as XRUSH.

REV: Oct 11

Response to Rule 312 Communication	Application No.	Applicant(s)
	12/950,321	MCNULTY, SCOTT
	Examiner	Art Unit
	ASGHAR BILGRAMI	2443

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

1. The amendment filed on 06 August 2013 under 37 CFR 1.312 has been considered, and has been:

a) entered.

b) entered as directed to matters of form not affecting the scope of the invention.

c) disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) disapproved. See explanation below.

e) entered in part. See explanation below.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AB/

FORM PTO-1449A INFORMATION DISCLOSURE CITATION	Attorney Docket: 1004294.012US	Serial No.: 12/950,321
	Applicant: Scott McNulty	
	Filing Date: November 19, 2010	Group Art Unit: 2614

U.S. PATENT / PUBLICATION DOCUMENTS

Change(s) applied to document, N.W.S. 8/9/2013

Examiner Initial	Patent/Publication Number	Publication/Issue Date	Name	Filing Date
	1. 6,763,399	7/2004	Margalit et al.	
	2. 6,970,927	11/2005	Stewart et al.	
	3. 7,032,240	4/2006	Conce et al.	
	4. 7,213,766	5/2007	Ryan et al.	
	5. 7,310,734	12/2007	Boate et al.	
	6. 7,454,783	11/2008	Dupouy et al.	
	7. 2004/0127254	7/2004	Chang	
	8. 2005/0132183	6/2005	Gearhart	
	9. 2005/0197859	9/2005	Wilson et al.	
	10. 2005/0198221	9/2005	Manchester et al.	
	11. 2006/0071066	4/2006	Vanzini et al.	
	12.			
	13.			
	14.			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Copy Filed	Translation
	15. 00/49505	2/2000	WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Abstract <input type="checkbox"/> N/A
	16.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	17.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	18.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	19.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	20.			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A

Examiner /Asghar Bilgrami/	Date Considered 10/26/2011
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AB/

OK TO ENTER./AB/AUG-14-2013.

Amendments to the Specification:

Following the title of the application on page 1 of the specification, please insert the following:

This application is a continuation application of U.S. application Ser. No. 10/807,731, filed on Mar. 23, 2003, now U.S. Pat. No. 7,861,006.

OK TO ENTER./AB/AUG-14-2013.

PRINTER RUSH

(PTO ASSISTANCE)

Application: 12950321

Examiner: Bilgrami

GAU: 2443

From: Latoya Hill

Location: RTFM

Creation Date: 08/12/2013

Tracking #: Week Date:

<u>DOC CODE</u>	<u>DOC DATE</u>	<u>MISCELLANEOUS</u>
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW/FWCLM		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Petition (TC)
<input type="checkbox"/> DRW		<input type="checkbox"/> Other
<input checked="" type="checkbox"/> 312	<u>08/06/2013</u>	
<input type="checkbox"/> SPEC		

[RUSH] Message:

Please respond to the 8/6/13 A.NA.

thank you,
LH

[XRUSH] Response:

Amendment made to the specification on 8/6/2013 has been considered and entered.

/AB/ Aug-14-2014

Initials: _____

Examiner: PUBS contacts - for DESIGNS: Don Fairchild, 703-756-1566; for ALL OTHER files: Bernadette Queen, 703-756-1565.

NOTE: This form will be included as part of the official USPTO record with the response document coded as XRUSH.

REV: Oct 11



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes details for application 12/950,321 and 85775, inventor SCOTT MCNULTY, and examiner BILGRAMI, ASGHAR H.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptopatentcommunication@lockelord.com

Response to Rule 312 Communication	Application No. 12/950,321	Applicant(s) MCNULTY, SCOTT
	Examiner ASGHAR BILGRAMI	Art Unit 2443

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

1. The amendment filed on 06 August 2013 under 37 CFR 1.312 has been considered, and has been:

a) entered.

b) entered as directed to matters of form not affecting the scope of the invention.

c) disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) disapproved. See explanation below.

e) entered in part. See explanation below.

/Asghar Bilgrami/
Primary Examiner, Art Unit 2443



APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/950,321	09/17/2013	8539047	1004294.012US	7529

85775 7590 08/28/2013
 Locke Lord LLP
 Attn: IP Docketing
 Three World Financial Center
 New York, NY 10281-2101

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
 (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

SCOTT MCNULTY, Rowayton, CT;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the District of Delaware _____ on the following
 Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 1	DATE FILED 12/31/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF IOENGINE, LLC		DEFENDANT Interactive Media Corp. d/b/a Kanguru Solutions
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,539,047 B2	9/17/2013	IOENGINE, LLC
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the District of Delaware _____ on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 1	DATE FILED 12/31/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF IOENGINE, LLC		DEFENDANT Interactive Media Corp. d/b/a Kanguru Solutions
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,539,047 B2	9/17/2013	IOENGINE, LLC
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Judgment - See attached

CLERK John A. Cerino	(BY) DEPUTY CLERK /s/ Mark Buckson	DATE 1/17/2017
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the District of Delaware _____ on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 1	DATE FILED 12/31/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF IOENGINE, LLC		DEFENDANT Imation Corp.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,539,047 B2	9/17/2013	IOENGINE, LLC
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Judgment after jury trial - see attached
--

CLERK John A. Cerino	(BY) DEPUTY CLERK /s/ Mark Buckson	DATE 2/24/2017
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District Court of Delaware on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 14cv1572	DATE FILED 12/31/2014	U.S. DISTRICT COURT District Court of Delaware
PLAINTIFF loengine, LLC		DEFENDANT Imation Corp.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8539047		
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the District of Delaware _____ on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 1	DATE FILED 12/31/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF IOENGINE, LLC		DEFENDANT Imation Corp.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,539,047 B2	9/17/2013	IOENGINE, LLC
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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CLERK	(BY) DEPUTY CLERK	DATE
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AO 120 (Rev. 08/10)

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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of Delaware on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 18-452-UNA	DATE FILED 3/23/2018	U.S. DISTRICT COURT District of Delaware
PLAINTIFF IOENGINE, LLC		DEFENDANT PAYPAL HOLDINGS, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,539,047	9/17/2013	IOENGINE, LLC
2 9,059,969	6/16/2015	IOENGINE, LLC
3 9,774,703	9/26/2017	IOENGINE, LLC
4		
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK HOLDER OF PATENT OR TRADEMARK
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DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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