

YASSER ALSAFADI ET AL

PHA 23,706

Serial No. 09/343,607

Group Art Unit: 2783

Filed: JUNE 30, 1999

Title: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF ELECTRONIC DEVICES

CONTACT: GREGORY L. THORNE (914) 333-9665

PAGE 1 OF 3



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OCT 11 1999

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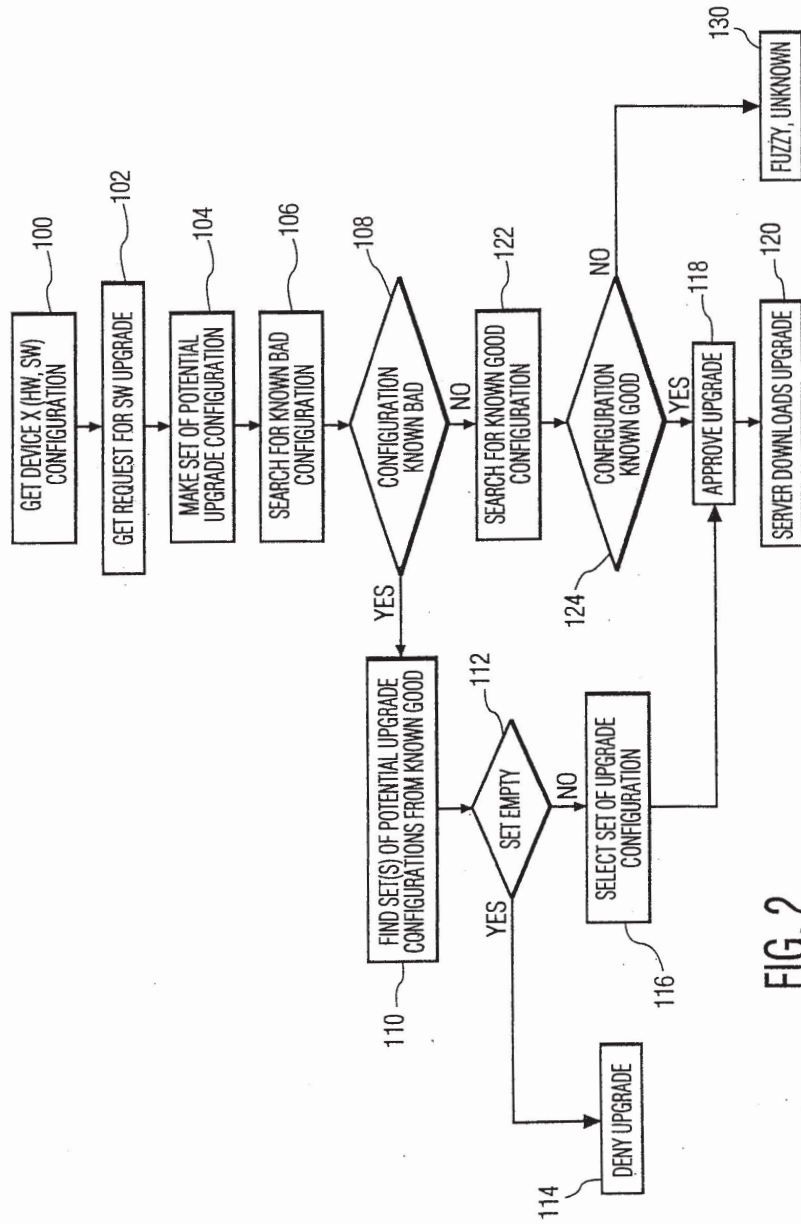


FIG. 2

YASSER ALSAFADI ET AL

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PAGE 2 OF 3



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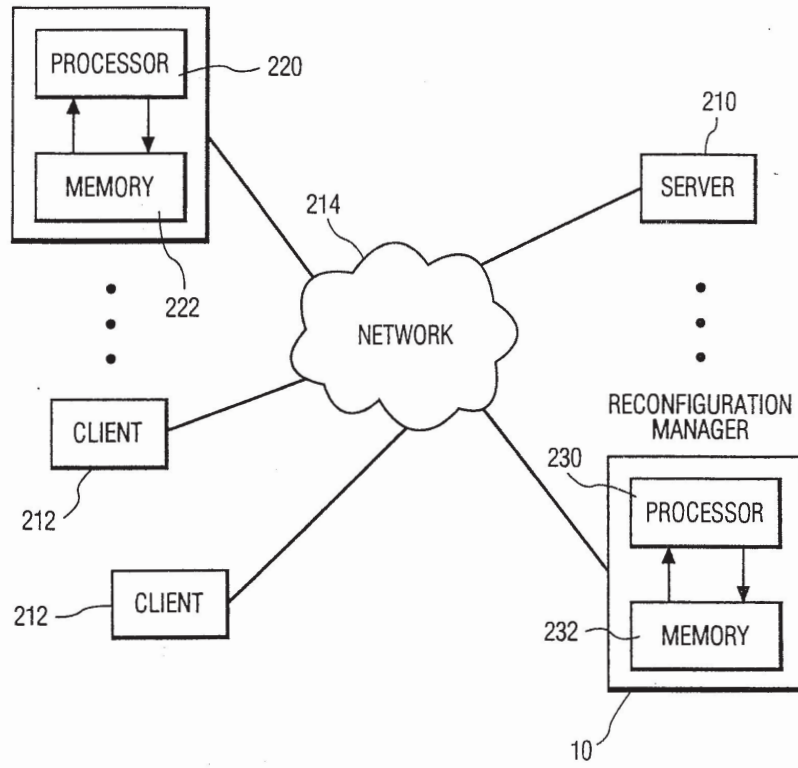


FIG. 3

YASSER ALSAFADI ET AL PHA 23,706

Serial No. 09/343,607 Group Art Unit: 2783

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PAGE 3 OF 3



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
YASSER ALSAFADI ET AL.
Serial No. 09/343,607



Atty. Docket
PHA 23,706
Group Art Unit: 2783

Filed: JUNE 30, 1999

Title: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF
ELECTRONIC DEVICES
Commissioner of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Sir:

Enclosed is a Form PTO-1449 and copies of documents listed thereon. These documents are considered to be relevant in that they have been:

- considered in drafting the specification of the above-referenced application;
 - cited in the specification of the above-referenced application; or
 - cited as an "X" or "Y" document in a foreign Patent Office search report on a foreign counterpart application a copy of which report is also enclosed.
- I hereby certify that these documents were cited in said search report not more than three (3) months ago.

Please charge any fee under 1.17(p) for this Information Disclosure Statement to be considered, not exceeding \$240.00, to Account No. 14-1270.

If readily available, English-language counterparts have been substituted for foreign-language patent documents. This disclosure is not an admission that any of these documents is material to or even prior art with respect to the above-referenced application.

Respectfully submitted,

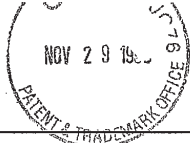
By Gregory L. Thorne
Gregory L. Thorne, Reg. 397398
Attorney
(914) 333-9665

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On November 23, 1999
By Manann
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Form PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Atty. Docket No. PHA 23,706	Serial No. 09/343,607
	Applicant YASSER ALSAFADI ET AL			
	INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		Filing Date JUNE 30, 1999	Group 2783 2/22

U.S. PATENT DOCUMENTS									
Ex. Int.	Document Number	Date	Name	Class	Sub-class	Filing Date If Approp.			
AA									
AB									
AC									
AD									
AE									

FOREIGN PATENT DOCUMENTS									
	Document Number	Date	Country	Class	Sub-class	Trans.			
						Yes	No		
AG	W 0 9 0 1 5 3 9 4	6/1990	Pct	G06f	15/46				
AH									
AI									
AJ									
AK									

OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)									
AL									
AM									

Examiner	<i>Chavis, J.P.</i>	Date Considered	2-8-02
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw through citation if not in conformance and not considered. Include a copy of this with next communication to applicant.			

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#5
LDJ
11-27-00

In re Application

Atty. Docket

YASSER ALSAFADI ET AL

PHA 23,706

Serial No. 09/343,607

Group Art Unit: 2783



Filed: JUNE 30, 1999

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Technology Center 2100

Title: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF ELECTRONIC DEVICES

Commissioner for Patents
Washington, D.C. 20231

LETTER

Sir:

Pursuant to the duty of disclosure set forth in 37 CFR 1.56, Applicants call to the attention of the Patent and Trademark Office a Search Report issued abroad in reference to a corresponding foreign application. A copy of the Search Report dated November 7, 2000 is attached.

The enclosed document is being called to the attention of the Patent and Trademark Office solely to comply with the duty of disclosure set forth in 37 CFR 1.56 and is not intended to be construed as an admission by the Applicants that any of the documents listed is material.

Respectfully submitted,

By Gregory L. Thorpe
Gregory L. Thorpe, Reg. 39,398
Attorney
(914) 333-9632

Encl. Search Report

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On NOVEMBER 16, 2000

By Naemi Chapa

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U\$A

3 NOV 2000

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

To:
 INTERNATIONAAL OCTROOIBUREAU B.V.
 Attn. GRAVENDEEL, Cornelis
 Prof. Holstlaan 6
 NL-5656 AA Eindhoven
 NETHERLANDS

GRAV

Date of mailing
 (day/month/year) 07/11/2000

Applicant's or agent's file reference
 PHA 23.706W0

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
 PCT/EP 00/05952


International filing date
 (day/month/year) 27/06/2000

Applicant
 KONINKLIJKE PHILIPS ELECTRONICS N.V.

1. The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.
- Filing of amendments and statement under Article 19:**
 The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):
- When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.
- Where?** Directly to the International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland
 Facsimile No.: (41-22) 740.14.35
- For more detailed instructions, see the notes on the accompanying sheet.
2. The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3. With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
 - no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. **Further action(s):** The applicant is reminded of the following:
- Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.
- Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).
- Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

3 11/00 113 51

(K)
 [Signature]

Name and mailing address of the International Searching Authority
 European Patent Office, P.B. 5818 Patentlaan 2
 NL-2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer
 Ahmed Soliman

Form PCT/ISA/220 (July 1998)

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PHA 23.706W0	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/EP 00/ 05952	International filing date (day/month/year) 27/06/2000	(Earliest) Priority Date (day/month/year) 30/06/1999
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.
 It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. **Certain claims were found unsearchable** (See Box I).

3. **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. 1

as suggested by the applicant. None of the figures.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 G06F9/445 G06F9/44		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC 7 G06F		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, INSPEC, IBM-TDB, COMPENDEX		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 809 287 A (SHAFFER DAVID SCOTT ET AL) 15 September 1998 (1998-09-15) column 1, line 60 - column 2, line 57 column 3, line 22 - line 30 column 4, line 16 - line 24 column 6, line 36 - line 42	1,2,7,8, 11,12
A	US 5 784 702 A (GREENSTEIN PAUL GREGORY ET AL) 21 July 1998 (1998-07-21) abstract; figures 1,16 column 2, line 36 - line 59 column 3, line 59 - line 66 column 5, line 5 - line 7	1-3,8,12
	-/--	
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents : "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family		
Date of the actual completion of the international search 31 October 2000		Date of mailing of the international search report 07/11/2000
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Carciofi, A

Form PCT/ISA/210 (second sheet) (July 1992)

page 1 of 2

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 499 357 A (SONTY ATASHI C ET AL) 12 March 1996 (1996-03-12) abstract column 5, line 60 -column 6, line 16 column 7, line 3 - line 21 -----	1,2,8, 10,12

2

Form PCT/ISA/210 (continuation of second sheet) (July 1992)

page 2 of 2

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 00/05952

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5809287	A	15-09-1998	US 5586304 A	17-12-1996
			US 5588143 A	24-12-1996
			US 5960189 A	28-09-1999
			AU 695638 B	20-08-1998
			AU 3053895 A	21-03-1996
			CA 2157728 A,C	09-03-1996
			EP 0703531 A	27-03-1996
			JP 8227355 A	03-09-1996
<hr/>				
US 5784702	A	21-07-1998	US 5659786 A	19-08-1997
			CA 2100540 A	20-04-1994
			EP 0593874 A	27-04-1994
			JP 7295841 A	10-11-1995
<hr/>				
US 5499357	A	12-03-1996	BR 9402027 A	13-12-1994
			EP 0632371 A	04-01-1995
			JP 7006026 A	10-01-1995
<hr/>				

Form PCT/ISA/210 (patent family annex) (July 1992)

AG



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,607	06/30/1999	YASSER ALSAFADI	PHA-23.706	8127

7590 02/14/2002
 CORPORATE PATENT COUNSEL
 US PHILIPS CORPORATION
 580 WHITE PLAINS ROAD
 TARRYTOWN, NY 10591

EXAMINER

CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 02/14/2002

6

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

AG

Office Action Summary

Application No. 09/343,607	Applicant Alsafadi et al.
Examiner John Chavis	Art Unit 2122

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

Period for Reply

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

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

Status

- 1) Responsive to communication(s) filed on papers filed 6-30-99 and 11-29-99
- 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) 1-21 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) 1-21 is/are rejected.
- 7) Claim(s) is/are objected to.
- 8) Claims are subject to restriction and/or election requirement

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) All b) Some* c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892)
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 & 4
- 18) Interview Summary (PTO-413) Paper No(s) _____
- 19) Notice of Informal Patent Application (PTO-152)
- 20) 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 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carroll et al. (6,301,707) in view of the applicant's design choice of determining to compare for incompatible versus compatible items to determine compatibility.

Claims

Carroll

1. A processor implemented method for controlling the reconfiguration of an electronic device, the method comprising the steps of:

see the title, abstract and the Background of the invention.

receiving information representative of a reconfiguration request relating to the electronic device;

This feature is inherent in view of col. 4 lines 37-49, specifically the Feature that indicates that "Reconfiguration can be selectively Selectively activated" (ie. Requested)

determining at least one device component required to implement the reconfiguration request;

see col. 3 lines 20-35 and col. 5 lines 54-col. 6 line 12.

comparing the determined component and information specifying at least one additional component currently implemented in the electronic device with at least one of a list of known unacceptable configurations for the electronic device; and

see col. 1 lines 43-54, specifically the Phrase that indicates "the core program needs to access only selected components... Also, see col. 6 lines 13-23 (a subset of which are Be installed in the target system According to a profile of the target

System that is stored in the target system. These features indicate that A comparison is occurring; however, The comparison is based on the “profile of the system”, which infers That like items are compared. However, it is considered a choice of Design to select to compare either Items that are compatible (as taught By Carroll) or items that are not Compatible; since, both provides the Same result of determining if the Component is compatible with the Target. Therefore, it would have Been obvious to a person of ordinary Skill in the art at the time of the invention to substitute for the feature Of comparing to determine similarity (based On the profile of the target system), With comparing to determine if the items are dissimilar (Unacceptable configurations), since The test merely utilize opposite types Of data (similar vs dissimilar) to Determine the same result (compatibility of the update).

generating information indicative of an approval or a denial of the reconfiguration request based at least in part on the result of the comparing step.

see col. 8 lines 49-53.

2. The method of claim 1 further including the step of generating information indicative of an approval of the reconfiguration request if the determined component and the additional component are consistent with a given one of the known acceptable configurations.

see the rejection of the last step of claim 1, supra.

3. The method of claim 1 further including

see again the last step of claim 1.

the step of downloading the determined component to the electronic device if the determined component and the additional component are consistent with a given one of the known acceptable configurations.

4. The method of claim 1 further including the steps of: comparing the determined component and information specifying at least one additional component currently implemented in the electronic device with the list of known unacceptable configurations for the electronic device; and

generating information indicative of a denial of the reconfiguration request if the determined component and the additional component are consistent with a given one of the known unacceptable configurations.

5. The method of claim 1 further including the steps of: comparing the determined component and information specifying at least one additional component currently implemented in the electronic device with the list of known unacceptable configurations for the electronic device; and

generating information indicating that the requested reconfiguration is unknown if the determined component and the additional component are not consistent with a given one of the known acceptable or unacceptable configurations.

6. The method of claim 1 further including the step of transmitting in response to the reconfiguration request a list of additional components required in the electronic device in order to implement the reconfiguration.

7. The method of claim 1 wherein the

see the comparing step of claim 1.

see the last step of claim 1.

see claim 1.

see claim 1.

See the PCN's, which identifies the

information specifying at least one additional component currently implemented in the electronic device includes identifiers of each of the components in a set of components currently implemented in the electronic device.

software components, col. 7 lines 19-32.

8. The method of claim 7 wherein the identifiers of each of the components in the set of components are included in the reconfiguration request.

See again the rejection of claim 7.

9. The method of claim 1 wherein the reconfiguration request comprises a request for an upgrade of at least one of a software component and a hardware component of the electronic device.

It is considered inherent that the software downloaded can be utilized to update software or hardware (such as providing new drivers) "based On the profile of the system"

10. The method of claim 1 wherein the reconfiguration request is received from the electronic device over a network connection established with a reconfiguration manager implementing the receiving, determining, comparing and generating steps.

See col. 5 lines 14-29.

Claims 11-20 are rejected as claims 1-10 above.

The features of claim 21 is taught via claim 1.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chavis whose telephone number is (703) 305-9665. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The Official Fax Numbers for TC-2100 are:


After-final (703) 746-7238
Official (703) 746-7239
Non-Official/Draft (703) 746-7240

Any inquiry of a general nature or relating to the status of

this application or proceeding should be directed to the Group
receptionist whose telephone number is (703) 305-3900.



JQC
February 8, 2002



GREGORY A. MORSE
PRIMARY EXAMINER

Notice of References Cited	Applicant/Patent Alsafadi et al.	Application/Control No. 09/343,607	
	Examiner John Chavis	Art Unit 2122	Page 1 of 1

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Name	Classification ²	
A	6,301,707	10/2001	Carroll et al.	717	177
B	5,634,075	5/1997	Smith et al.	710	9
C	5,918,194	6/1999	Banaska et al.	702	91
D	5,933,026	8/1999	Larsen et al.	326	81
E	6,065,068	5/2000	Foote	710	10
F					
G					
H					
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Country	Name	Classification ²	
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	
V	
W	
X	

¹ A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a). ² Dates in MM-YYYY format are publication dates. ³ Classifications may be U.S. or foreign.

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date 6/30/99) are:

- A. approved by the Draftsperson under 37 CFR 1.84 or 1.152.
- B. objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

<p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color. <input type="checkbox"/> Color drawings are not acceptable until petition is granted. Fig(s) _____ <input type="checkbox"/> Pencil and non black ink not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84 (b) <input type="checkbox"/> I full-tone set is required. Fig(s) _____ <input type="checkbox"/> Photographs not properly mounted (must use brystal board or photographic double-weight paper). Fig(s) _____ <input type="checkbox"/> Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(e) <input type="checkbox"/> Paper not flexible, strong, white, and durable. Fig(s) _____ <input type="checkbox"/> Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____ <input type="checkbox"/> Mylar, velum paper is not acceptable (too thin). Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes: <input type="checkbox"/> 21.0 cm by 29.7 cm (DIN size A4) <input type="checkbox"/> 21.6 cm by 27.9 cm (8 1/2 x 11 inches) <input type="checkbox"/> All drawing sheets not the same size. Sheet(s) _____ <input type="checkbox"/> Drawings sheets not an acceptable size. Fig(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm SIZE: A4 Size Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: 8 1/2 x 11 <input type="checkbox"/> Margins not acceptable. Fig(s) _____ <input type="checkbox"/> Top (T) _____ Left (L) _____ <input type="checkbox"/> Right (R) _____ Bottom (B) _____</p> <p>6. VIEWS. 37 CFR 1.84(h) REMINDER: Specification may require revision to correspond to drawing changes. Partial views. 37 CFR 1.84(h)(2) <input type="checkbox"/> Brackets needed to show figure as one entity. Fig(s) _____ <input type="checkbox"/> Views not labeled separately or properly. Fig(s) _____ <input type="checkbox"/> Enlarged view not labeled separately or properly. Fig(s) _____</p> <p>7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3) <input type="checkbox"/> Hatching not indicated for sectional portions of an object. Fig(s) _____ <input type="checkbox"/> Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p>	<p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i) <input type="checkbox"/> Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p>9. SCALE. 37 CFR 1.84(k) <input type="checkbox"/> Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(i) <input checked="" type="checkbox"/> Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) _____</p> <p>11. SHADING. 37 CFR 1.84(m) <input type="checkbox"/> Solid black areas pale. Fig(s) _____ <input type="checkbox"/> Solid black shading not permitted. Fig(s) _____ <input type="checkbox"/> Shade lines, pale, rough and blurred. Fig(s) _____</p> <p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p) <input checked="" type="checkbox"/> Numbers and reference characters not plain and legible. Fig(s) <u>1-3</u> <input type="checkbox"/> Figure legends are poor. Fig(s) _____ <input type="checkbox"/> Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____ <input type="checkbox"/> English alphabet not used. 37 CFR 1.84(p)(2) Figs _____ <input type="checkbox"/> Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q) <input type="checkbox"/> Lead lines cross each other. Fig(s) _____ <input type="checkbox"/> Lead lines missing. Fig(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t) <input type="checkbox"/> Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u) <input type="checkbox"/> Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w) <input type="checkbox"/> Corrections not made from prior PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152 <input type="checkbox"/> Surface shading shown not appropriate. Fig(s) _____ <input type="checkbox"/> Solid black shading not used for color contrast. Fig(s) _____</p>
<p>COMMENTS</p>	

REVIEWER JL DATE 8/2/99 TELEPHONE NO. 703 330 4885

ATTACHMENT TO PAPER NO. 6

Gp/222
Revised
#17
Q. B. ...
5/15/02



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: J.Q. CHAVIS
YASSER ALSAFADI ET AL.)	
	:	Group Art Unit: 2122
Appln. No.: . 09/343,607)	
	:	
Filed: JUNE 30, 1999)	
	:	
For: RECONFIGURATION MANAGER)	
FOR CONTROLLING UPGRADES...)	
	:	
)	April 26, 2002

RECEIVED
MAY 1 0 2002

Technology Center 2100

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

SIR:

RESPONSE

This is in response to the Office Action dated February 14, 2002, for the above-identified application.

REMARKS

Claims 1-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Carrol et al. (U.S. Patent No. 6,301,707).

Applicants respectfully submit that the pending claims are patentable for at least the following reasons.

Independent claim 1 recites a processor-implemented method for controlling the reconfiguration of an electronic device, the method comprising the steps of receiving information representative of a reconfiguration request relating to the electronic device, determining at least one device component required to implement the reconfiguration request, comparing the determined component and information specifying at least one additional component currently implemented in the electronic device with at least one of a list of known acceptable configurations for the electronic device and a list of known unacceptable configurations for the electronic device; and generating information indicative of an approval or a denial of the reconfiguration request based at least in part on the result of the comparing step. Independent claims 11 and 21 recite similar limitations.

Carrol, as read by the Applicants, relates to a software system that is selectively installed from a source into a target system according to a profile. The software system comprises a plurality of components. Only selected components are needed by the target system. A profile of the target system is created when the target system is defined; the profile defines the components needed by the target system. To configure the target system, an installation process installs in the target system only components from the source that are defined in the profile for the target system. The source may be a storage medium or a separate installation system.

Carrol fails to teach at least the limitations of (1) receiving information representative of a reconfiguration request relating to the electronic device and (2) comparing the determined component and information specifying at least one additional component currently implemented in the electronic device with at least one of a list of known acceptable configurations for the electronic device and a list of known unacceptable configurations for the electronic device.

The structure recited in claim 1, enables efficient techniques for incrementally upgrading or otherwise reconfiguring electronic devices. The invention ensures that upgrades are compatible with the configuration of a given device before they are implemented in that device, thereby avoiding problems associated with inconsistent upgrades, as further described on page 4, lines 13-16. Applicants can find nothing in Carrol that shows, teaches or describes the above-discussed limitations.

The Office Action indicates that the limitation of receiving information representative of a reconfiguration request is inherently shown in Carrol in col. 4, lines 37-49. Applicants disagree. In this section, Carrol teaches an apparatus for performing the operation of the invention and that the "apparatus may be specially constructed for the required purpose or it may comprise a general-purpose computer as selectively activated or reconfigured by a computer program stored in the computer." Reconfiguring a general-purpose computer to perform the Carrol invention does not teach, suggest or imply the limitation of receiving information representative of a reconfiguration request relating to the electronic device.

Although, as the Office Action indicates, Carrol teaches the use of a profile comparison to install software, applicants respectfully disagree with the Office Action's

conclusion that this suggests, imply or teaches the claimed limitation of comparing the determined component and information specifying at least one additional component currently implemented in the electronic device with at least one of a list of known acceptable configurations for the electronic device and a list of known unacceptable configurations for the electronic device. Carrol, in fact, teaches away from the claimed invention, via Carrol specific reliance on the use of a profile approach. Moreover, the Office Action does not provide a rationale for the modification (only that there may be a common result). In In re Lee, Slip Op. 00-1158 (Fed. Cir. Jan. 18, 2002) the court indicated that:

The determination of patentability on the ground of unobviousness is ultimately one of judgment. In furtherance of the judgmental process, the patent examination procedure serves both to find, and to place on the official record, that which has been considered with respect to patentability. In finding the relevant facts, in assessing the significance of the prior art, and in making the ultimate determination of the issue of obviousness, the examiner and the Board are presumed to act from this viewpoint. Thus when they rely on what they assert to be general knowledge to negate patentability, that knowledge must be articulated and placed on the record. The failure to do so is not consistent with either effective administrative procedure or effective judicial review. The board cannot rely on conclusory statements when dealing with particular combinations of prior art and specific claims, but must set forth the rationale on which it relies.

Accordingly, Applicants respectfully submit that there would have been no motivation for one of ordinary skill to attempt to such a modification.

Applicants further respectfully note that it is incumbent upon the Examiner to establish a factual basis to support the legal conclusion of obviousness. See In re Fine, 837 F.2d 1071, 1073, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). In so doing, the

Examiner is expected to make the factual determinations set for in Graham v. John Deere Co., 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966), and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. Uniroyal Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). These showings by the Examiner are an essential part of complying with the burden of presenting a prima facie case of obviousness. Note In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Applicants respectfully submit the Office Action has failed to make a prima facie case of obviousness.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. These claims are therefore believed patentable over the art of record.

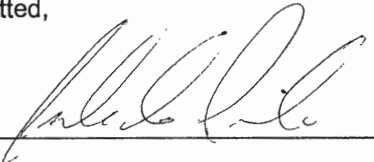
The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

The applicants submit that the claims, as they now stand, fully satisfy the requirements of 35 U.S.C. 103. In view of the foregoing amendments and remarks,

favorable reconsideration and early passage to issue of the present application are respectfully solicited.

Applicants' undersigned attorney may be reached by telephone at the number given below.

Respectfully submitted,

By 

Mail all correspondence to:

US PHILIPS CORPORATION
580 White Plains Road
Tarrytown, NY 10591

Daniel Piotrowski, Reg. 42,079
Attorney for Applicants
Phone (914) 333-9609
Fax: (914) 332-0615


Rick de Pinho
Reg. 41,703

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On April 27 2002

By 
Rick de Pinho, Reg. 41,703

Notice of Allowability	Application No.	Applicant(s)	
	09/343,607	ALSAFADI ET AL.	
	Examiner	Art Unit	
	John Q. Chavis	2124	

-- 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 5-7-02.
 2. The allowed claim(s) is/are 1-21.
 3. The drawings filed on _____ are accepted by the Examiner.
 4. 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 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: _____.
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
 6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

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.**

7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. CORRECTED DRAWINGS must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. 6.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. 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)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Reason for Allowance

The following is an examiner's statement of reasons for allowance: The applicant argues that Carrol fails to teach "receiving information representative of a configuration request". However, see Carrol's fig. 3, item 320 (placing order). The placing of an order is inherently "information representative of a request". It is further specified that Carrol does not teach or suggest comparing the determined (requested) component and at least one additional component to at least one of an acceptable or an unacceptable list. Carrol, as indicated in the previous action compares the requested component with an acceptable list (one of an acceptable and an unacceptable list); however, he does not teach or suggest comparing an additional component with one of the list in response to a request. Therefore, the claims are allowable over the art of record.

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."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Q. Chavis whose telephone number is 703-305-9665. The examiner can normally be reached on 8:30-5:00.

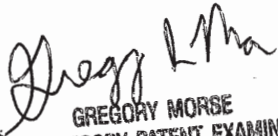
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703-308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Art Unit: 2124

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3900.



Jqc
July 27, 2002



GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Notice of References Cited	Application/Control No. 09/343,607	Applicant(s)/Patent Under Reexamination ALSAFADI ET AL.	
	Examiner John Q. Chavis	Art Unit 2124	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
✗	A US-6,385,668	05-2002	Gaddess et al.	370/254
✗	B US-6,167,408	12-2000	Cannon et al.	707/200
✗	C US-5,822,531	10-1998	Gorczyca et al.	707/202
✗	D US-5,327,560	07-1994	Hirata et al.	709/221
✗	E US-5,898,872	04-1999	Richley, Thomas E.	713/100
✗	F US-5,497,490	03-1996	Harada et al.	713/100
✗	G US-6,058,455	05-2000	Islam et al.	710/10
✗	H US-5,253,344	10-1993	Bostick et al.	710/8
	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 0308056	03-1989	EPO	Beardsley et al.	G06F 11/00
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	Mitchell et al., Dynamically Reconfiguring Multimedia Components: A Model - Based Approach, 9/1998, ACM, p. 40-46.
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.



NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 07/29/2002
CORPORATE PATENT COUNSEL
US PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN, NY 10591

EXAMINER

CHAVIS, JOHN Q

ART UNIT CLASS-SUBCLASS
2124 717-173000

DATE MAILED: 07/29/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,607	06/30/1999	YASSER ALSAFADI	PHA-23.706	8127

TITLE OF INVENTION: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	10/29/2002

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 REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or
B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. 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.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box 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** **Box ISSUE FEE**
Commissioner for Patents
Washington, D.C. 20231
Fax **(703)746-4000**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 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: Legibly mark-up with any corrections or use Block 1)
 7590 07/29/2002

CORPORATE PATENT COUNSEL
US PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN, NY 10591

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 Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,607	06/30/1999	YASSER ALSAFADI	PHA-23.706	8127

TITLE OF INVENTION: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	10/29/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHAVIS, JOHN Q	2124	717-173000

<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 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (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 _____</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. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. 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 enclosed:

Issue Fee Publication Fee Advance Order - # of Copies _____

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) _____ (Date) _____

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.

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, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**

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.



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/343,607	06/30/1999	YASSER ALSAFADI	PHA-23.706	8127
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7590	07/29/2002			
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TARRYTOWN, NY 10591

EXAMINER

CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 07/29/2002

Determination of Patent Term Extension under 35 U.S.C. 154 (b)
(application filed after June 7, 1995 but prior to May 29, 2000)

The patent term extension is 0 days. Any patent to issue from the above identified application will include an indication of the 0 day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension 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) system. (<http://pair.uspto.gov>)



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

09/343,607 06/30/1999 YASSER ALSAFADI PHA-23.706 8127
7590 07/29/2002
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EXAMINER
CHAVIS, JOHN Q
ART UNIT PAPER NUMBER
2124

DATE MAILED: 07/29/2002

Notice of Fee Increase on October 1, 2002

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2002, then the amount due may be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2002. See Revision of Patent and Trademark Fees for Fiscal Year 2003; Notice of Proposed Rulemaking, 67 Fed. Reg. 30634, 30636 (May 7, 2002).

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of the fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after October 1, 2002 (or mailed with a certificate of mailing on or after October 1, 2002), the issue fee paid should be the fee that is required at the time the fee is paid.

Effective October 1, 2002, 37 CFR 1.18 is proposed to be revised to change the patent issue fees as set forth below. As stated above, the final fees may be a different amount, and applicant should check the web site given above when paying the fee.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))--\$655.00
By other than a small entity--\$1,310.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))--\$235.00
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#9
p

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re Application of Atty. Docket

YASSER ALSAFADI ET AL PHA 23,706

Date of Notice of Allowance: JULY 29, 2002

Serial No.: 09/343,607 Group Art Unit: 2124

Filed: JUNE 30, 1999 Examiner: JOHN Q. CHAVIS

Conf. No.: 8127



Title: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF ELECTRONIC DEVICES

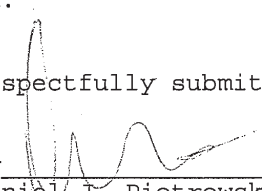
Commissioner for Patents
Washington, D.C. 20231

LETTER TO OFFICIAL DRAFTSMAN

Sir:

Enclosed are (3) THREE sheets of formal drawings, including changes requested by the Examiner, for filing in the above-identified application.

Respectfully submitted,

By 
Daniel J. Piotrowski
Registration No. 42,079
Senior Corporate Patent Counsel
(914) 333-9624

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

On August 12, 2002

By Neema Chopra

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1/3

6467088

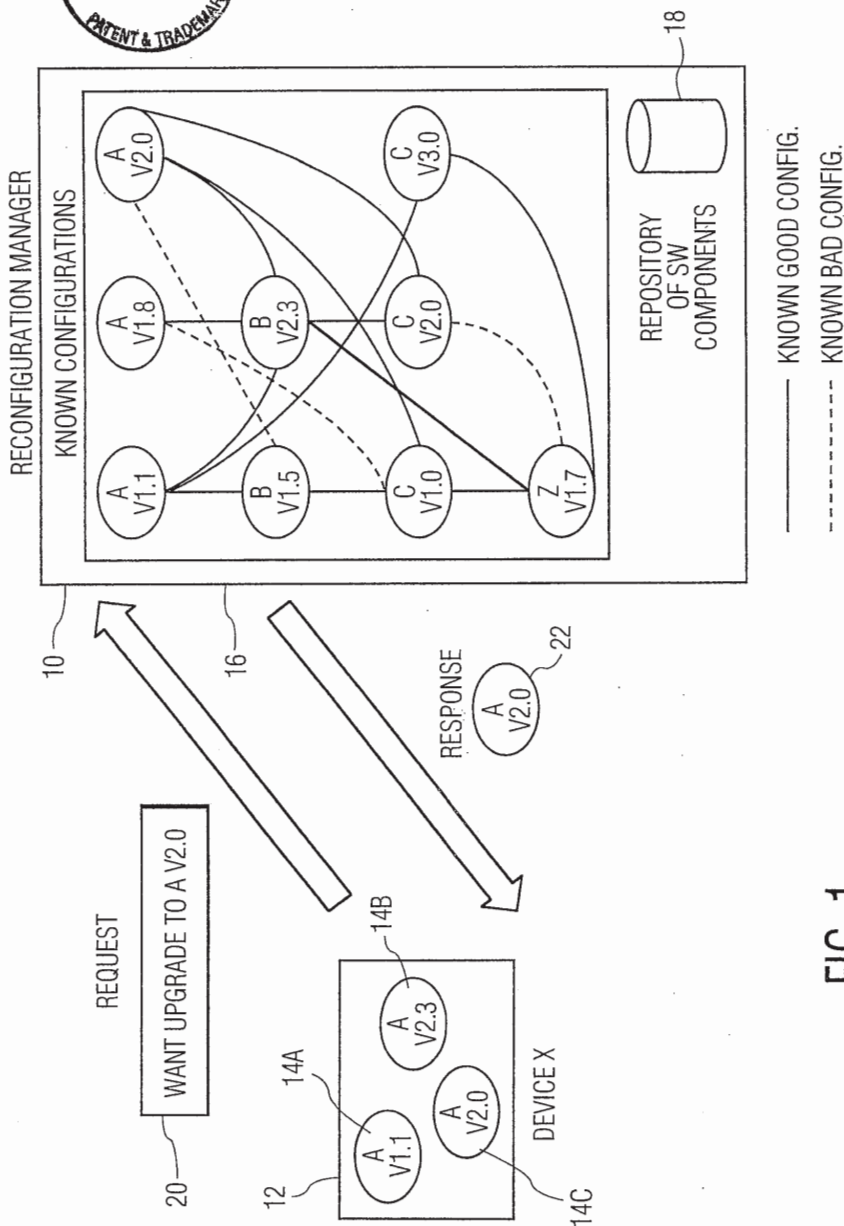


FIG. 1



2/3

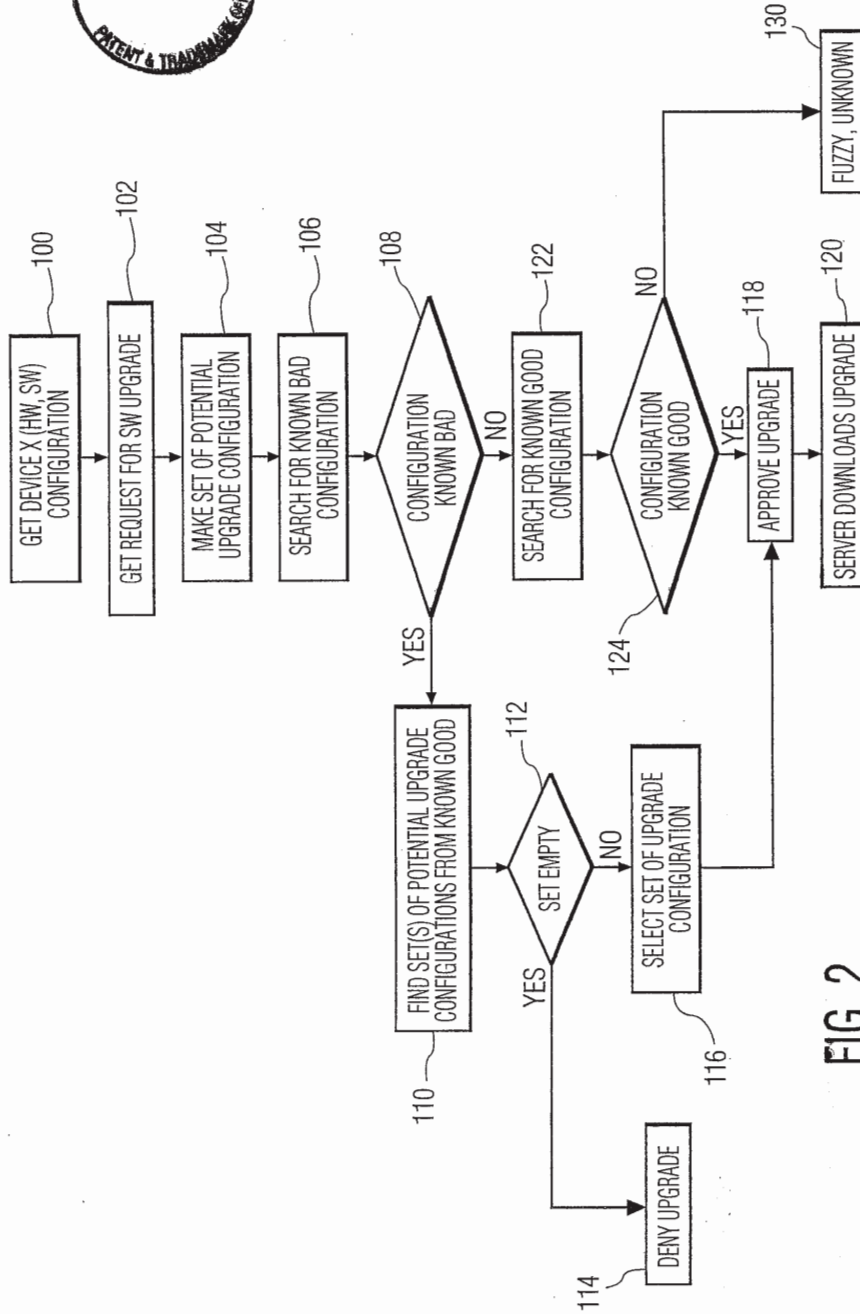


FIG. 2

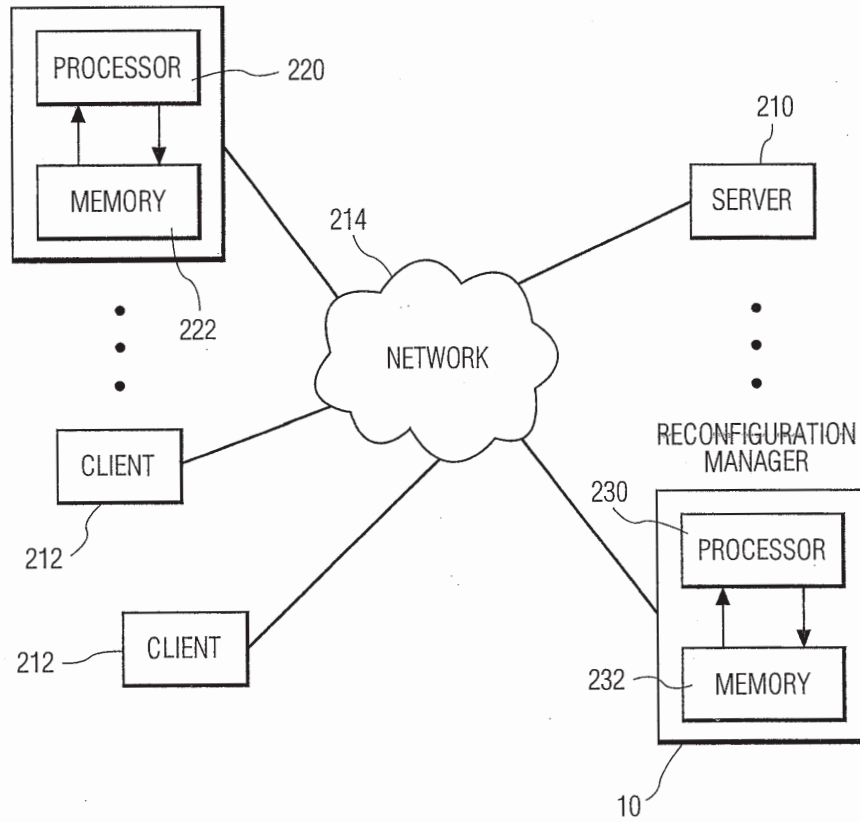


FIG. 3

PART B - FEE(S) TRANSMITTAL

BS

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Noemi Chapa (Depositor's name)
Noemi Chapa (Signature)
AUGUST 12, 2002 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,607	06/30/1999	YASSER ALSAFADI	PHA-23.706	8127

TITLE OF INVENTION: RECONFIGURATION MANAGER FOR CONTROLLING UPGRADES OF ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	10/29/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHAVIS, JOHN Q	2124	717-173000

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 "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, (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.
- 1 Daniel J. Piotrowski
 2 _____
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 (B) RESIDENCE: (CITY and STATE OR COUNTRY) **Eindhoven, The Netherlands**

Please check the appropriate assignee category or categories (will not be printed on the patent) individual corporation or other private group entity government

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(Authorized Signature) [Signature] (Date) 8/12/02

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