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#### **ISSUING CLASSIFICATION** ORIGINAL **CROSS REFERENCE(S)** SUBCLASS (ONE SUBCLASS PER BLOCK) SUBCLASS CLASS CLASS 455 455 455 410 INTERNATIONAL CLASSIFICATION 411 425 412 552 565 550.1 480 XOR 4 m 1/00, 3/00, 166 0 04B106, 7/20 0 40 Continued on Issue Slip Inside File Jacket

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Page 2 of 175

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Page 1 of 1



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	COMMISSIONER FOR PATENTS
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# Bib Data Sheet

CONFIRMATION NO. 3125

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Case Dock No. PHF 99,624

THE COMMISSIONER FOR PATENTS, Washington, D.C. 20231

Enclosed for filing is the patent application of Inventor(s): PHILIPPE DECOTIGNIE

For: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE

#### ENCLOSED ARE:

- [X] Appointment of Associates;
- Information Disclosure Statement, Form PTO-1449 and copies of [X] documents listed therein; []
  - Preliminary Amendment;
- Specification (9 Pages of Specification, Claims, & Abstract); Declaration and Power of Attorney: [X] [X]
- (1 Page of a [ ]fully executed [X]unsigned Declaration);
- [X] Drawing (2 sheets of [ ]informal [X]formal sheets);
- [X] Certified copy of a FRENCH application Serial No.9916136;
- Authorization Pursuant to 37 CFR §1.136(a)(3) [X] ;
  - 1 Other: Assignment to j

FEE COMPUTATION

CLAIMS AS FILED								
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE - \$710.00				
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Independent Claims	2 - 3 =	0	X \$80 =	0.00				
Multiple Dependent Claims, if any \$270 = 0.00								
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Please charge Deposit Account No. 14-1270 in the amount of the total filing fee indicated above, plus any deficiencies. The Commissioner is also hereby authorized to charge any other fees which may be required, except the issue fee, or credit any overpayment to Account No. 14-1270.

[ ]Amend the specification by inserting before the first line as a centered heading --Cross Reference to Related Applications--; and insert below that as a new paragraph -- This is a continuation-, filed , which is in-part of application Serial No. herein incorporated by reference --.

#### CERTIFICATE OF EXPRESS MAILING

Express Mail Mailing Label No. E1458219127US Date of Deposit <u>December 18, 2000</u> I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231. Natale A. Manzo <u>Malana</u> Mango Typed Name Signature

Michael E. Marion, Reg. 32, 266

Attorney (914) 333-9641 U.S. Philips Corporation 580 White Plains Road Tarrytown, New York 10591 S:\SL\MB13SLD0.MA0.doc



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# PATENT APPLICATION SERIAL NO.

# U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

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PTO-1556 (5/87) \*U.S. GPO: 2000-468-987/39595

IN THE CLITED STATES PATENT AND TRAJEMARK OFFICE In re Application of Atty. Docket PHILIPPE DECOTIGNIE PHF 99,624 Serial No. Group Art Unit Filed: CONCURRENTLY Ex. Title: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE Commissioner for Patents

## AUTHORIZATION PURSUANT TO 37 CFR §1.136(a) (3) AND TO CHARGE DEPOSIT ACCOUNT

Sir:

CLANED THE PLANED

Washington, D.C. 20231

The Commissioner is hereby requested and authorized to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

súbmitted, Respect

Michael E. Marion, Reg. 32,266 Attorney (914) 333-9641

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#### Anti-theft protection for a radiotelephony device

#### DESCRIPTION

# FIELD OF THE INVENTION

The invention relates to a mobile radiotelephony device intended for accommodating a user identification module, said device comprising:

connecting means for establishing a link between the device and the identification module mounted inside the device,

blocking means for preventing the normal operation of the device,

- test means for activating the blocking means when the identification module mounted

inside the device is not the one that is linked to the device.

The invention also relates to a method of protecting such a device, and a computer program for implementing such a method.

The invention notably has applications in the field of portable radiotelephony. Portable radiotelephony devices are intended to accompany their users when they move

around. It happens that these devices are lost or stolen.

#### PRIOR ART OF THE INVENTION

United States patent 5,913,175, published 15 June 1999 describes a method of protecting a radiotelephone which permits to avoid that the lost or stolen telephone can be used by a third party with another user identification module. This method comprises establishing a link between the device and a specific user identification module and blocking the normal operation of the device when the user identification module that is placed inside the device is not the one that is linked to the device.

When the device is lost or stolen with the identification module to which it is linked, the user is to warn the operator so that the use of his identification module is blocked at network level.

This means that the device can be freely used until the identification module to which it is linked is blocked via the network. This may take a certain period of time.

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# SUMMARY OF THE INVENTION

It is notably an object of the invention to resolve this problem. For this purpose, a device in accordance with the invention and as described in the opening paragraph is characterized in that it comprises:

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timing means for activating the blocking means after the device has been inactive for a defined period of time,

and deblocking means for permitting normal operation of the device when the identification module placed inside the device is the one that is linked to the device and when a deblocking code is supplied by the user.

Thus, when the device falls into the hands of a third party together with the identification module to which it is linked, it has most probably been inactive for a period of time that is sufficiently long for its normal operation to be blocked (advantageously, the inactive time after which the blocking means are activated is of the order of several minutes). The device cannot thus be used without the deblocking code being supplied.

Thanks to the invention the lost or stolen device becomes totally unusable. A fraudulent person cannot send communications at the cost of the owner of the device. But neither can he use the device with another identification module. The theft of the device becomes totally useless. The invention thus forms a protection against theft.

In a particularly simple embodiment, the connecting means comprise reading 20 means and storage means of a data stored in the identification module, and the test means compare the thus stored data with the data stored in the identification module which is places inside the device. The data stored is formed, for example, by the international identification number IMSI which is contained in the identification module (compare standards relating to the GSM radiotelephony systems). Thus, the identification module is automatically linked to

25 the device without the intervention of the user, more particularly without the fact that a specific code has to be entered.

Advantageously the deblocking code, which is to be supplied to return to the normal operating mode, is formed by the pin code (Personal Identity Number) which is contained in the identification module (compare standards relating to the GSM

30 radiotelephony systems). Thus the user need not store an additional code to ensure the protection of his device.

## BRIEF DESCRIPTION OF THE DRAWINGS

These and other aspects of the invention are apparent from and will be elucidated, by way of non-limitative example, with reference to the embodiment(s) described hereinafter.

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In the drawings:

Fig. 1 represents a device in accordance with the invention,

Fig. 2 represents an overall electric diagram of the device of Fig. 1, and

Fig. 3 represents a flow chart explaining the operation of the device of Fig. 1.

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## DESCRIPTION OF A PREFERRED EMBODIMENT OF THE INVENTION

In Fig. 1 is represented an electronic device in accordance with the invention. In the example described here this device is a portable radiotelephone of the type used in cellular systems. It notably comprises a microphone 5, a loudspeaker 6, a screen 8, a keypad 9 and an antenna 11. The device 1 also comprises a housing 12 intended for accommodating a user identification module 13. In the example of embodiment described here, this identification module 13 is a portable card of an integrated circuit in which information is stored, notably an international identification number currently called IMSI number, and a Personal Identification Number currently called PIN code.

Fig. 2 shows the overall electrical diagram of this device. The operation of the device is, in essence, controlled by a microprocessor assembly 20 which comprises a microprocessor 22 to which are associated a random access memory 24 and a read-only memory 26. This assembly is connected to a man-machine interface 30 via a common line 32. This man-machine interface 32 controls the screen 8 and the keypad 9. The common line 32 also connects the microprocessor assembly 20 to a transceiver assembly 35 via an interface circuit 38. The transceiver assembly is connected to the antenna 11. Finally, the common line 32 also connects the microprocessor assembly 20 to a card reader 39.

In Fig. 3 is represented a function flow chart of a device in accordance with the invention. This flow chart starts at box K1. In box K1 the device is in a state of availability, that is to say that the user has access to all the functions of the device. The user has the choice of either or not locking his device. This locking (L)/unlocking (UL) is done by accessing a configuration menu of the device. When the user locks his device (box K2), the identification module that is inside the device is automatically linked to the device. For this purpose, the device starts reading a data D1 in the identification module (for example, the



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international identification number IMSI) and he stores it in the random-access memory 24. Once locked, the device remains in the state of availability indicated in box K1. When the device is in the state of availability, one looks whether it is locked (box K3). If it is not locked (arrow N3), the device remains in the state of availability indicated in box K1. If it is locked (arrow Y3), one looks whether the identification module which is placed inside the

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If the identification module, which is placed inside the device, is not the one that is linked to the device (arrow N4), the device goes to a first blocking state indicated in box K5. In this first blocking state, the device is disconnected from the network. Thus it can

device is the one that is linked to the device (box K4).

- 10 no longer receive an incoming call nor transmit an outgoing call (possibly with the exception of emergency numbers). In the blocking state K5, the screen shows a message inviting the user to insert the proper module into the device. And when the user inserts a new module, one looks whether this new identification module is the one that is connected to the device (box K7). If this is the case (arrow Y7), the device is reconnected to the network in
- 15 accordance with the normal procedure (box K8) and then the device returns to the state of availability indicated in box K1. If not (arrow N7), the operation is resumed in box K5. The only way of leaving this first blocking state is thus to place the identification module that is linked to the device inside the device.
- If the identification module that is placed inside the device is linked to the device (arrow Y4), one looks whether the device has remained in the state of availability for a certain period of time T of the order of several minutes, for example (box K10). If this is not the case (arrow N10), the device remains in the state of availability indicated in box K1. If this is the case (arrow Y10), the device passes on to a second blocking state indicated in box K11 by passing through an initialization step K12 which permits to initialize a variable A which represents the number of attempts made at supplying a deblocking code (for example, the Personal Identification Number) PIN.

In this second blocking state the device only processes incoming calls (box K13) and, possibly, the outgoing calls that correspond to emergency numbers (box K14). Once these calls have been processed, the device goes back to the second blocking state

30 indicated in box K11. In the second blocking state K11 a message inviting the user to supply a deblocking code is displayed on the screen. If the code taken by the user is recognized (arrow Y11), the device goes back to the state of availability indicated in box K1. If it is not recognized (arrow N11), the value of the variable A is tested (box K15). If this value is lower than a certain figure (for example 3), the value of A is augmented by unity (box K16) and a

#### PHF 99.624

message is displayed on the screen to indicate the user that the code is not valid (box K17). Then the device goes back to the second blocking state indicated in box K11. If the variable A is higher than or equal to said figure, the test of box K15 causes the total blocking of the device indicated in box K30. To leave this third blocking state it is necessary to contact the organization that provides the identification module. One is then again in the state of availability K1.

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In another embodiment of the invention, when the user locks the telephone, the device asks for the user's name. The name given by the user is stored in the random access memory 24 of the device. When the identification module that is inside the device is not the one that is linked to the device, the device displays the name of the user before asking him to insert his identification module as indicated in box K5. The device also displays the name of the user before asking him to supply his personal code as indicated in box K11.

The embodiment that has just been described is particularly effective, because it provides two separate blocking modes depending on whether the identification module that is placed inside the device is either or not linked to the device. The first blocking mode is applied in the case where the device has been lost or stolen. The object is then to prevent the device being usable with another identification module. It thus advantageously blocks the incoming and outgoing calls at the same time. The second blocking mode is applied in the case where the identification module that is linked to the device is in its place inside the device and the device is in a state of availability. The object is to prevent a third party being able to send outgoing calls with this device if it is lost, stolen or left without attendance for some time. In that case, it is desirable for the user to be able to continue to directly receive his incoming calls.

In another embodiment the same blocking means are used as the identification module which is placed inside the device either or not linked to the device, for example, the second blocking means. In that case it is possible for receiving incoming calls intended for the identification module that is inside the device, even when this identification module placed inside the device is not linked to the device.

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CLAIMS:

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- 1. A mobile radiotelephony device intended for accommodating a user identification module, said device comprising:
- connecting means for establishing a link between the device and the identification module mounted inside the device,
- 5 blocking means for preventing the normal operation of the device,
  - test means for activating the blocking means when the identification module mounted inside the device is not the one that is linked to the device,
  - characterized in that it comprises:
  - timing means for activating the blocking means after the device has been inactive for a defined period of time,
    - and deblocking means for permitting normal operation of the device when the identification module placed inside the device is the one that is linked to the device and when a deblocking code is supplied by the user.
- A device as claimed in claim 1, characterized in that said blocking means comprise first blocking means for preventing the transmission and reception of calls when the identification module placed inside the device is not the one that is linked to the device, and second blocking means for preventing the sending of calls after a defined period of time during which the device has been inactive, with the exception of one or various emergency numbers.
  - 3. A device as claimed in claim 1, characterized in that it comprises locking/unlocking means for locking/unlocking the device, while said blocking means can only be activated when the device is locked, and said link is established while the device is being locked.
    - 4. A device as claimed in claim 1, characterized in that said connecting means comprise means for reading and storing a data stored in the identification module, and in that

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said test means compare this data thus stored with the data stored in the identification module that is placed inside the device.

5. A device as claimed in claim 3, characterized in that said data is formed by the 5 international identification number stored in the user identification module.

6. A device as claimed in claim 1, characterized in that said deblocking code is formed by the personal identification number stored in the identification module.

10 7. A method of protecting a mobile radiotelephony device intended for accommodating a user identification module, said method comprising the following steps:

setting up a link between the device and the identification module placed inside the device,

testing to verify whether the identification module placed inside the device is the one that is linked to the device,

 blocking the normal operation of the device when the identification module placed inside the device is not the one that is linked to the device,

characterized in that it comprises the following steps:

- detection of a period of inactivity of the device,

blocking of the normal operation of the device when said period of inactivity has been detected,

- deblocking which permits the normal operation of the device when the identification module placed inside the device is the one that is linked to the device and when a deblocking code has been supplied by the user.

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8. A method as claimed in claim 6 of protecting a mobile radiotelephony device, characterized in that it comprises a step of locking the device, while the blocking steps can only be executed when the device is locked, and the step of establishing a link between the device and the identification module placed inside the device is executed when the device is locked.

9. A method as claimed in claim 6 of protecting a mobile radiotelephony device, characterized in that the step of establishing a link between the device and the identification module placed inside the device comprises a step of reading and storing a data stored in said

### PHF 99.624



8 01.12.2000 identification module, and in that the test step comprises comparing the data thus stored with the data stored in the identification module that is placed inside the device.

10. A computer program complising means for implementing a method as claimed in claim 7 of protecting a mobile radiotelephony device.

#### PHF 99.624

**ABSTRACT:** 

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The invention proposes a method of protecting a mobile radiotelephony device intended for accommodating a user identification module to be able to operate. The invention has for its object to protect such a device against theft.

For this purpose, a device in accordance with the invention comprises means

5 for:

- preventing the use of the device with an identification module other than the user's,

 asking the user for a deblocking code after a short time that the device has been inactive and preventing the use of the device if this code has not been supplied.

10 Reference: Fig. 2

# **DECLARATION and POWER OF ATTORNEY**

ATTORNEY'S DOCKET NO.: PHF 99.624

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 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

"Anti-theft protection for a radiotelephony device"

the specification of which (check one)

was filed on

\_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on

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

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APP. NUMBER	DATE OF FILING (DATE, MONTH, YEAR)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
France	9916136	2# December 1999	YES

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application 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 and the national or PCT international filing date of this application:

**PRIOR UNITED STATES APPLICATION(S)** 

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (PATENTED, PENDING, ABANDONED)
2		

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.

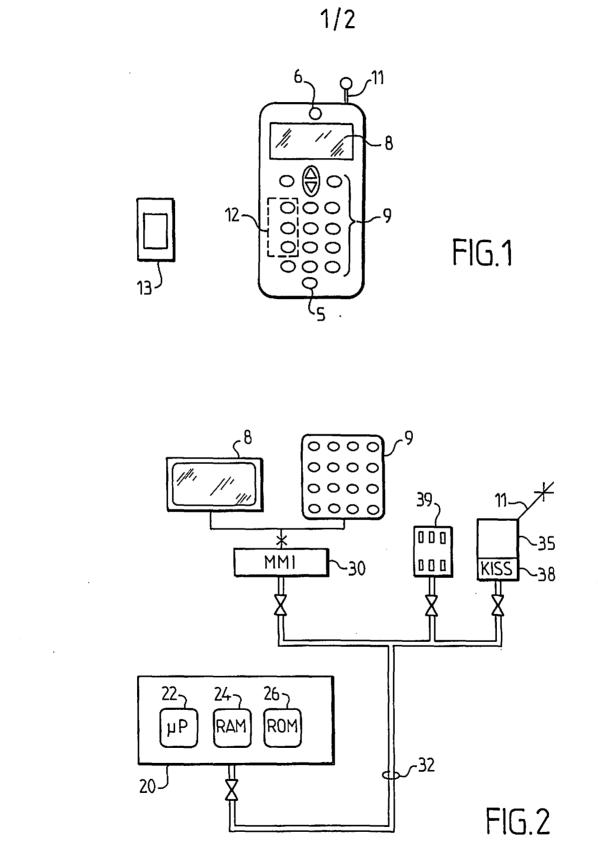
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Jack E. Haken, Reg. No. 26,902 Michael E. Marion, Reg. No. 34,266

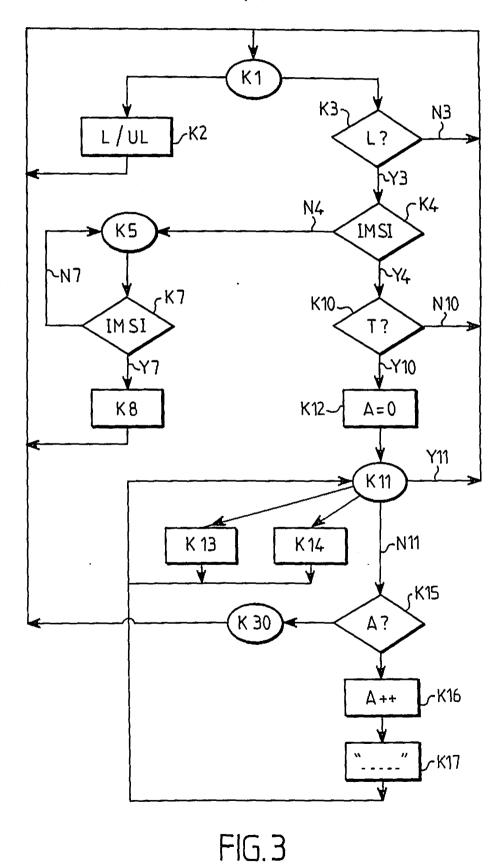
Edward M. Blocker, Reg. No. 30,245

SEND CORRESPONDENCE TO: Corporate Patent Counsel;	DIRECT TELEPHONE CALLS TO:
U.S. Philips Corporation; 580 White Plains Road;	(name and telephone No.)
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Dated:		Inventor's Signature:				
Full Name of	Last Name	First Name	Middle Name			
Inventor	DECOTIGNIE	Philippe				
Residence &	City	State or Foreign Country	Country of Citizenship			
Citizenship	Le Mans	France	France			
Post Office Address	Street	City	State or Country	Zip Code		
	21, rue du Tertre Saint-	72000 Le Mans	France			
	Pierre					



Page 17 of 175



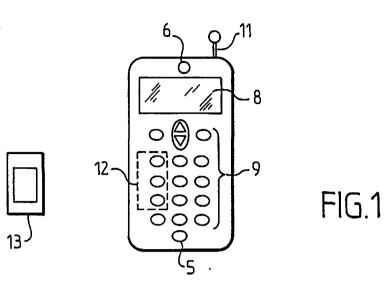
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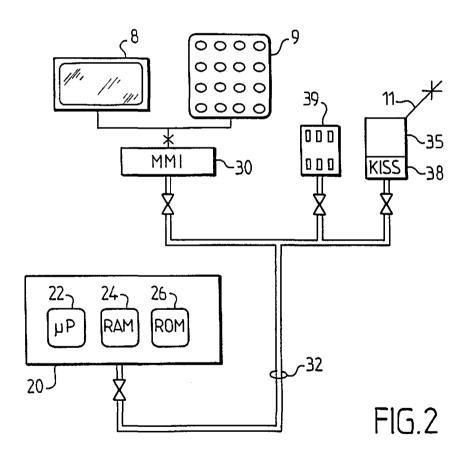
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Page 18 of 175

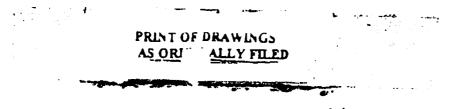
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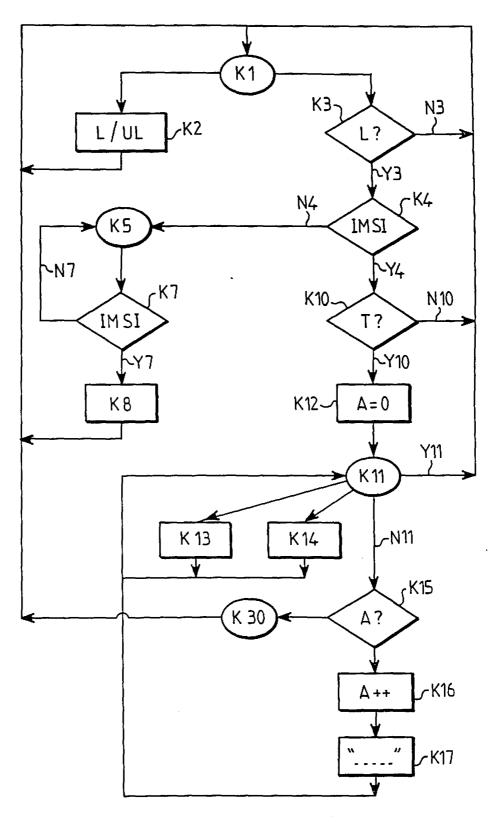




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 b. Excess independent claims more than 3.
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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE 'U.S. GPO: 2000-460-706/30103 IN THE .TED STATES PATENT AND TRADEMARK OFFICE In re Application of Atty. Docket PHILIPPE DECOTIGNIE PHF 99,624 Serial No. Group Art Unit Filed: CONCURRENTLY Ex. Title: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE Commissioner for Patents Washington, D.C. 20231

#### APPOINTMENT OF ASSOCIATES

Sir:

The undersigned Attorney of Record hereby revokes all prior appointments (if any) of Associate Attorney(s) or Agent(s) in the above-captioned case and appoints:

JACK D. SLOBOD (Registration No. 26,236) and MICHAEL E. MARION (Registration No. 32,266) c/o U.S. PHILIPS CORPORATION, Intellectual Property Department, 580 White Plains Road, Tarrytown, New York 10591, his Associate Attorney(s)/Agent(s) with all the usual powers to prosecute the above-identified application and any division or continuation thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith.

ALL CORRESPONDENCE CONCERNING THIS APPLICATION AND THE LETTERS PATENT WHEN GRANTED SHOULD BE ADDRESSED TO THE UNDERSIGNED ATTORNEY OF RECORD.

Respectfully E. Haken, Reg. 26,902 torney of Record

Dated at Tarrytown, New York this 13<sup>TH</sup> day of December, 2000. \\server0\sys2\Wpdocs\sL\MB13SLF0.MA0.doc



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# BREVET D'INVENTION

# **CERTIFICAT D'UTILITÉ - CERTIFICAT D'ADDITION**

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Fait à Paris, le 10 MAI 2000

Pour le Directeur général de l'Institut national de la propriété industrielle Le Chef du Département des prevets

Martine PLANCHE



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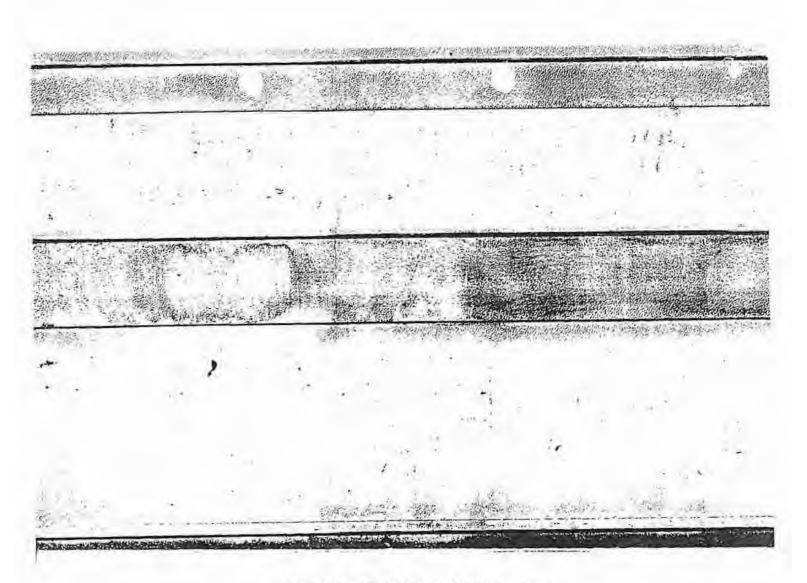
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# BREVET D'INVENTION CERTIFICAT D'UTILITÉ

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# REQUÊTE EN DÉLIVRANCE 2/2

REM DATE	75 INPI	C 1999 PARIS					
	'ENREGISTREMENT ONAL ATTRIBUÉ PA	3310100					
	s références sultatif)	pour ce dossier :	PHF 99624	DB 540 W /2608			
6	MANDATA	RE	•				
	Nom	•	de LA FOUCHARDIERE				
	Prénom	······································	Marie-Noëlle				
	Cabinet ou S	lociété	Société Civile S.P.I.D. liste 422-5/S008				
	N°de pouvo de lien contr	ir permanent et/ou actuel	07036 - Délégation de pouvoi	ir 7424			
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		one (facultatif)	01 40 76 80 30				
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7	INVENTEUR	: (S)					
	Les inventeu	rs sont les demandeurs	Oui X Non Dans ce cas fourni	r une désignation d'inventeur(s) séparée			
8	RAPPORT D	E RECHERCHE	Uniquement pour une dema	nde de brevet (y compris division et transformation)			
		Établissement immédiat ou établissement différé	×				
	Paiement éc	helonné de la redevance	Paiement en trois versemen Oui Non	ts, uniquement pour les personnes physiques			
9	RÉDUCTION DES REDEV			is pour cette invention (joindre un avis de non-imposition) e dépôt (joindre une copie de la décision d'admission			
		r utilisé l'imprimé «Suite», nombre de pages jointes		· · · · · · · · · · · · · · · · · · ·			
	OU DU MAN (Nom et qua Marie-Noël)	DU DEMANDEUR IDATAIRE alité du signataire) e de LA FOUCHARDIERE SPID 422-5/S008	NI Stor	VISA DE LA PRÉFECTURE OU DE L'INPI			

La loi nº78-17 du 6 janvier 1978 relative à l'informatique, aux fichiers et aux libertés s'applique aux réponses faites à ce formulaire. Elle garantit un droit d'accès et de rectification pour les données vous concernant auprès de l'INPI.

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#### Description

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#### Domaine de l'invention

L'invention concerne un appareil de radiotéléphonie mobile destiné à recevoir un module d'identification d'utilisateur, ledit appareil comportant :

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- des moyens de liaison pour établir un lien entre l'appareil et le module d'identification placé dans l'appareil,

5 - des moyens de blocage pour empêcher le fonctionnement normal de l'appareil,

- des moyens de test pour activer les moyens de blocage lorsque le module d'identification placé dans l'appareil n'est pas celui qui est lié à l'appareil.

L'invention concerne également un procédé de protection d'un tel appareil, ainsi qu'un programme d'ordinateur pour la mise en œuvre d'un tel procédé.

L'invention a notamment des applications dans le domaine de la radiotéléphonie portable. Les appareils de radiotéléphonie portable sont destinés à accompagner leurs utilisateurs dans leurs déplacements. Il arrive que ces appareils soient perdus ou volés.

#### Arrière plan technologique de l'invention

15 Le brevet américain 5,913,175 délivré le 15 juin 1999 décrit un procédé de protection d'un radiotéléphone qui permet d'éviter qu'un téléphone perdu ou volé puisse être utilisé par un tiers avec un autre module d'identification d'utilisateur. Ce procédé consiste à établir un lien entre l'appareil et un module d'identification d'utilisateur spécifique, et à bloquer le fonctionnement normal de l'appareil lorsque le module d'identification d'utilisateur qui est placé 20 dans l'appareil n'est pas celui qui est lié à l'appareil.

Lorsque l'appareil est perdu ou volé avec le module d'identification auquel il est lié, l'utilisateur doit en aviser l'opérateur de façon à bloquer l'usage de son module d'identification au niveau du réseau.

Cela signifie que l'appareil peut être utilisé librement jusqu'à ce que le module 25 d'identification auquel il est lié soit bloqué par le réseau. Cela peut prendre un certain temps.

#### Résumé de l'invention

L'invention a notamment pour but de résoudre ce problème. Pour cela, un appareil selon l'invention et tel que décrit dans le paragraphe introductif est caractérisé en ce qu'il comporte :

 des moyens de temporisation pour activer les moyens de blocage après un temps déterminé d'inaction de l'appareil,

- et des moyens de déblocage pour permettre le fonctionnement normal de l'appareil lorsque le module d'identification placé dans l'appareil est celui qui est lié à l'appareil, et lorsqu'un code de

35 déblocage est fourni par l'utilisateur.

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Ainsi, lorsque l'appareil tombe entre les mains d'un tiers, avec le module d'identification auquel il est lié, il est très probablement inactif depuis un temps suffisamment long pour que son fonctionnement normal soit bloqué (de façon avantageuse, le temps d'inaction au-delà duquel les moyens de blocage sont activés est de l'ordre de quelques minutes). L'appareil ne peut donc plus être utilisé sans fournir le code de déblocage.

Grâce à l'invention, l'appareil perdu ou volé devient totalement inutilisable. Un fraudeur ne peut pas passer de communications aux frais du propriétaire de l'appareil. Mais il ne peut pas non plus utiliser l'appareil avec un autre module d'identification. Le vol de l'appareil devient tout à fait inutile. L'invention constitue donc une protection contre l'acte de vol.

Dans un mode de réalisation particulièrement simple, les moyens de liaison comportent des moyens de lecture et de mémorisation d'une donnée stockée dans le module d'identification, et les moyens de test comparent la donnée ainsi mémorisée à la donnée stockée dans le module d'identification qui est placé dans l'appareil. La donnée stockée est par exemple constituée par le numéro international d'identification IMSI qui est contenu dans le

15 module d'identification (cf. normes relatives aux systèmes de radio téléphonie GSM). Ainsi, le module d'identification est lié à l'appareil de façon automatique, sans intervention de l'utilisateur, en particulier sans qu'il ait à saisir un code spécifique.

De façon avantageuse, le code de déblocage qui doit être fourni pour retourner à un mode de fonctionnement normal est avantageusement constitué par le code PIN (de l'anglais 20 Personal Identity Number) qui est contenu dans le module d'identification (cf. normes relatives aux systèmes de radio téléphonie GSM). Ainsi l'utilisateur n'a pas à mémoriser de code supplémentaire pour assurer la protection de son appareil.

#### Brève description des dessins

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L'invention sera mieux comprise et d'autres détails apparaîtront dans la description qui va suivre en regard des dessins annexés qui sont donnés à titre d'exemples non limitatifs et dans lesquels :

- la figure 1 représente un appareil selon l'invention,

- la figure 2 représente un schéma électrique global de l'appareil de la figure 1,
- la figure 3 représente un organigramme explicitant le fonctionnement de l'appareil de la figure
   1.

#### Description d'un mode de réalisation préférentiel de l'invention

Sur la figure 1, on a représenté un appareil électronique 1 conforme à l'invention. Dans l'exemple décrit ici cet appareil est un radiotéléphone portable du genre utilisé dans les systèmes cellulaires. Il comporte notamment un microphone 5, un écouteur 6, un écran 8, un clavier 9, et une antenne 11. L'appareil 1 comporte également un logement 12 destiné à recevoir un module d'identification d'utilisateur 13. Dans l'exemple de réalisation décrit ici, ce module d'identification 13 est une carte porteuse d'un circuit intégré dans lequel sont stockées

des informations, notamment un numéro international d'identification couramment appelé numéro IMSI, et un numéro personnel d'identification couramment appelé code PIN.

La figure 2 donne le schéma électrique global de cet appareil. Le fonctionnement de l'appareil est essentiellement régi par un ensemble à microprocesseur 20 qui comporte un

microprocesseur 22, auquel sont associées une mémoire vive 24 et une mémoire morte 26. Cet 5 ensemble est relié à un dispositif d'interface homme machine 30 par une ligne commune 32. Ce dispositif d'interface homme machine 32 contrôle l'écran 8 et le clavier 9. La ligne commune 32 relie également l'ensemble à microprocesseur 20 à un ensemble d'émission réception 35 via un circuit d'interface 38. L'ensemble d'émission réception est connecté à l'antenne 11. Enfin, la ligne commune 32 relie aussi l'ensemble à microprocesseur 20 à un dispositif 39 de lecture de carte.

Sur la figure 3 on a représenté un organigramme de fonctionnement d'un appareil selon l'invention. Cet organigramme débute à la case K1. A la case K1, l'appareil est dans un état de disponibilité, c'est-à-dire que l'utilisateur a accès à toutes les fonctions de l'appareil. L'utilisateur

- a le choix de verrouiller ou non son appareil. Ce verrouillage (L) / déverrouillage (UL) s'effectue 15 en accédant à un menu de configuration de l'appareil. Lorsque l'utilisateur verrouille son appareil (case K2), le module d'identification qui est dans l'appareil est automatiquement lié à l'appareil. Pour cela, l'appareil va lire une donnée D1 dans le module d'identification (par exemple le numéro international d'identification IMSI), et il la stocke dans sa mémoire vive 24.
- Une fois verrouillé, l'appareil reste dans l'état de disponibilité indiqué à la case K1. Lorsque 20 l'appareil est dans l'état de disponibilité, on regarde s'il est verrouillé (case K3). S'il n'est pas verrouillé (flèche N3), l'appareil reste dans l'état de disponibilité indiqué à la case K1. S'il est verrouillé (flèche Y3), on regarde si le module d'identification qui est placé dans l'appareil est celui qui est lié à l'appareil (case K4).
- Si le module d'identification qui est placé dans l'appareil n'est pas celui qui est lié à 25 l'appareil (flèche N4), l'appareil passe à un premier état de blocage indiqué à la case K5. Dans ce premier état de blocage, l'appareil se déconnecte du réseau. Il ne peut donc plus recevoir d'appel entrant ni émettre d'appel sortant (à l'exception de numéros d'urgence éventuellement). Dans l'état de blocage K5, on affiche à l'écran un message invitant l'utilisateur à insérer le
- module approprié dans l'appareil. Et lorsque l'utilisateur insère un nouveau module, on regarde 30 si ce nouveau module d'identification est celui qui est lié à l'appareil (case K7). Si c'est le cas (flèche Y7), l'appareil se reconnecte au réseau selon la procédure habituelle (case K8) puis l'appareil retourne dans l'état de disponibilité indiqué à la case K1. Sinon (flèche N7), le fonctionnement reprend à la case K5. La seule façon de sortir de ce premier état de blocage est donc de placer dans l'appareil le module d'identification qui est lié à l'appareil. 35

Si le module d'identification qui est placé dans l'appareil est lié à l'appareil (flèche Y4), on regarde si l'appareil est resté dans l'état de disponibilité depuis un certain temps T, de l'ordre de quelques minutes par exemple (case K10). Si ce n'est pas le cas (flèche N10), l'appareil reste dans l'état de disponibilité indiqué à la case K1. Si c'est le cas (flèche Y10),

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l'appareil passe à un second état de blocage indiqué à la case K11 en transitant par une étape d'initialisation K12 qui permet d'initialiser une variable A représentative du nombre d'essais effectués pour fournir un code de déblocage (par exemple le numéro personnel d'identification PIN).

Dans ce second état de blocage, l'appareil ne traite que les appels entrants (case K13), et éventuellement les appels sortant qui correspondent à des numéros d'urgence (case K14). Une fois ces appels traités, l'appareil repasse au second état de blocage indiqué à la case K11. Dans le second état de blocage K11, on affiche à l'écran un message invitant l'utilisateur à fournir un code de déblocage. Si le code saisi par l'utilisateur est reconnu (flèche Y11),

- 10 l'appareil repasse à l'état de disponibilité indiqué à la case K1. S'il n'est pas reconnu (flèche N11), on teste la valeur de la variable A (case K15). Si cette valeur est inférieure à un certain chiffre (par exemple 3), la valeur de A est augmentée d'une unité (case K16), et un message est affiché à l'écran pour indiquer à l'utilisateur que le code n'est pas valable (case K17). Puis l'appareil repasse dans le second état de blocage indiqué à la case K11. Si la variable A est
- 15 supérieure ou égale audit chiffre, le test de la case K15 provoque un blocage total de l'appareil indiqué à la case K30. Pour sortir de ce troisième état de blocage, il faut s'adresser à l'organisme qui fournit le module d'identification. On se retrouve alors dans l'état de disponibilité K1.
- Dans un autre mode de réalisation de l'invention, lorsque l'utilisateur verrouille le téléphone, l'appareil demande le nom de l'utilisateur. Le nom fourni par l'utilisateur est stocké dans la mémoire vive 24 de l'appareil. Lorsque le module d'identification qui est dans l'appareil n'est pas celui qui est lié à l'appareil, l'apparell affiche le nom de l'utilisateur avant de lui demander d'introduire son module d'identification comme indiqué à la case K5. L'appareil affiche aussi le nom de l'utilisateur avant de lui demander de fournir son code personnel comme indiqué à la case K11.

Le mode de réalisation qui vient d'être décrit est particulièrement efficace, parce qu'il prévoit deux modes de blocage distincts selon que le module d'identification qui est en place dans l'appareil est ou non lié à l'appareil. Le premier mode de blocage s'applique dans le cas où l'appareil a été perdu ou volé. Le but est d'empêcher que l'appareil soit alors utilisable avec un

- 30 autre module d'identification. Il est donc avantageux de bloquer à la fois les appels entrants et les appels sortants. Le second mode de blocage s'applique dans le cas où le module d'identification qui est lié à l'appareil est en place dans l'appareil, et l'appareil est dans un état de disponibilité. Le but est d'empêcher qu'un tiers puisse émettre des appels sortants avec cet appareil s'il est perdu, volé ou laissé sans surveillance pendant quelques temps. Dans ce cas il
- 35 est souhaitable que l'utilisateur puisse continuer à recevoir directement ses appels entrants.

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Dans un autre mode de réalisation, on utilise les mêmes moyens de blocage que le module d'identification qui est en place dans l'appareil soit ou non lié à l'appareil, par exemple les seconds moyens de blocage. Dans ce cas il est possible de recevoir des appels entrants destinés au module d'identification qui est dans l'appareil, même lorsque ce module d'identification placé dans l'appareil n'est pas lié à l'appareil.

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#### REVENDICATIONS

1. Appareil de radiotéléphonie mobile destiné à recevoir un module d'identification d'utilisateur, ledit appareil comportant :

- des moyens de liaison pour établir un lien entre l'appareil et le module d'identification placé dans l'appareil,

des moyens de blocage pour empêcher le fonctionnement normal de l'appareil,
des moyens de test pour activer les moyens de blocage lorsque le module d'identification placé dans l'appareil n'est pas celui qui est lié à l'appareil,
caractérisé en ce qu'il comporte :

 des moyens de temporisation pour activer les moyens de blocage après un temps déterminé d'inaction de l'appareil,

- et des moyens de déblocage pour permettre le fonctionnement normal de l'appareil lorsque le module d'identification placé dans l'appareil est celui qui est lié à l'appareil, et lorsqu'un code de déblocage est fourni par l'utilisateur.

15 2. Appareil selon la revendication 1, caractérisé en ce que lesdits moyens de blocage comportent des premiers moyens de blocage pour empêcher l'émission et la réception d'appels lorsque le module d'identification placé dans l'appareil n'est pas celui qui est lié à l'appareil, et des seconds moyens de blocage pour empêcher l'émission d'appels après un temps déterminé d'inaction de l'appareil, à l'exception d'un ou plusieurs numéros d'urgence éventuellement.

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3. Appareil selon la revendication 1, caractérisé en ce qu'il comporte des moyens de verrouillage / déverrouillage de l'appareil, lesdits moyens de blocage n'étant activables que lorsque l'appareil est verrouillé, et ledit lien étant établi lors du verrouillage de l'appareil.

- 4. Appareil selon la revendication 1, caractérisé en ce que lesdits moyens de liaison comportent des moyens de lecture et de mémorisation d'une donnée stockée dans le module d'identification, et en ce que lesdits moyens de test comparent la donnée ainsi mémorisée à la donnée stockée dans le module d'identification qui est placé dans l'appareil.
- 30 5. Appareil selon la revendication 3, caractérisé en ce que ladite donnée est constituée par le numéro d'identification international stocké dans le module d'identification d'utilisateur.

6. Appareil selon la revendication 1, caractérisé en ce que ledit code de déblocage est constitué par le numéro d'identification personnel stocké dans le module d'identification.

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 Procédé de protection d'un appareil de radiotéléphonie mobile destiné à recevoir un module d'identification d'utilisateur, ledit procédé comportant les étapes suivantes :

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- établissement d'un lien entre l'appareil et le module d'identification placé dans l'appareil,
- test pour vérifier si le module d'identification placé dans l'appareil est celui qui est lié à l'appareil,

blocage du fonctionnement normal de l'appareil lorsque le module d'identification placé dans
l'appareil n'est pas celui qui est lié à l'appareil,

caractérisé en ce qu'il comporte les étapes suivantes :

- détection d'une période d'inactivité de l'appareil,

- blocage du fonctionnement normal de l'appareil lorsque ladite période d'inactivité a été détectée,

 - déblocage permettant le fonctionnement normal de l'appareil lorsque le module d'identification placé dans l'appareil est celui qui est lié à l'appareil, et lorsqu'un code de déblocage est fourni par l'utilisateur.

Procédé selon la revendication 6 de protection d'un appareil de radiotéléphonie mobile,
 caractérisé en ce qu'il comporte une étape de verrouillage de l'appareil, les étapes de blocage
 n'étant exécutables que lorsque l'appareil est verrouillé, et l'étape d'établissement d'un lien
 entre l'appareil et le module d'identification placé dans l'appareil étant exécutée lors du
 verrouillage de l'appareil.

Procédé selon la revendication 6 de protection d'un appareil de radiotéléphonie mobile, caractérisé en ce que l'étape d'établissement d'un lien entre l'appareil et le module d'identification placé dans l'appareil comporte une étape de lecture et de mémorisation d'une donnée stockée dans ledit module d'identification, et en ce que l'étape de test consiste à comparer la donnée ainsi mémorisée à la donnée stockée dans le module d'identification qui
 est placé dans l'appareil.

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- établissement d'un lien entre l'appareil et le module d'identification placé dans l'appareil,
- test pour vérifier si le module d'identification placé dans l'appareil est celui qui est lié à l'appareil,

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 blocage du fonctionnement normal de l'appareil lorsque le module d'identification placé dans l'appareil n'est pas celui qui est lié à l'appareil,

caractérisé en ce qu'il comporte les étapes suivantes :

- détection d'une période d'inactivité de l'appareil,

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 blocage du fonctionnement normal de l'appareil lorsque ladite période d'inactivité a été détectée,

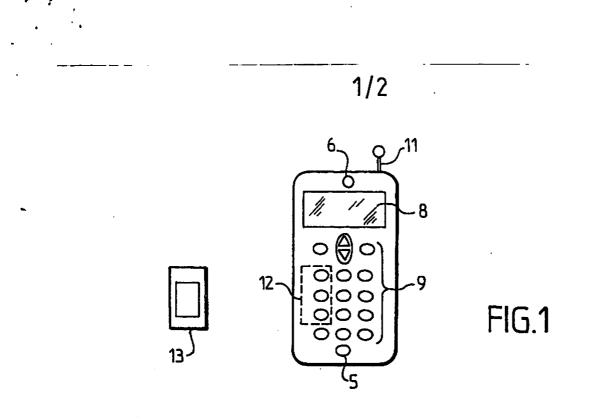
10 - déblocage permettant le fonctionnement normal de l'appareil lorsque le module d'identification placé dans l'appareil est celui qui est lié à l'appareil, et lorsqu'un code de déblocage est fourni par l'utilisateur.

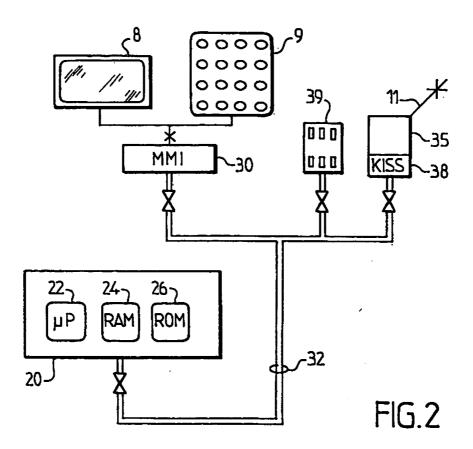
8. Procédé selon la revendication 6 de protection d'un appareil de radiotéléphonie mobile,

15 caractérisé en ce qu'il comporte une étape de verrouillage de l'appareil, les étapes de blocage n'étant exécutables que lorsque l'appareil est verrouillé, et l'étape d'établissement d'un lien entre l'appareil et le module d'identification placé dans l'appareil étant exécutée lors du verrouillage de l'appareil.

Procédé selon la revendication 6 de protection d'un appareil de radiotéléphonie mobile, caractérisé en ce que l'étape d'établissement d'un lien entre l'appareil et le module d'identification placé dans l'appareil comporte une étape de lecture et de mémorisation d'une donnée stockée dans ledit module d'identification, et en ce que l'étape de test consiste à comparer la donnée ainsi mémorisée à la donnée stockée dans le module d'identification qui est placé dans l'appareil.

10. Programme d'ordinateur comportant des moyens pour la mise en œuvre d'un procédé selon la revendication 6 de protection d'un appareil de radiotéléphonie mobile.





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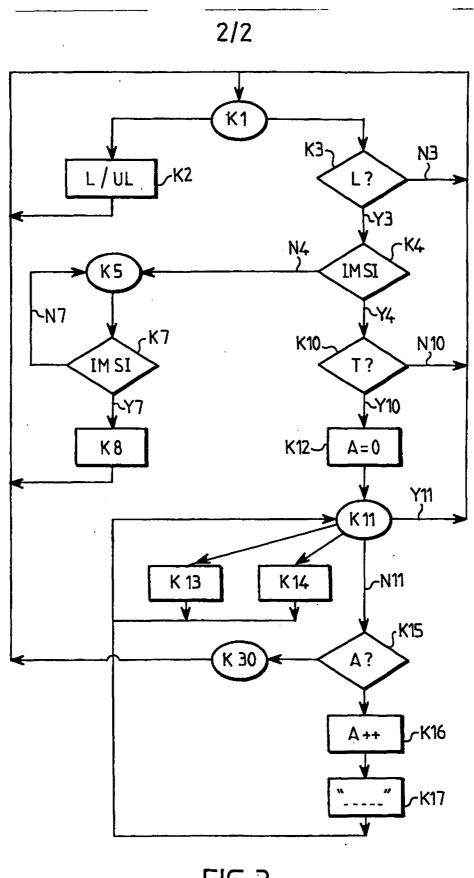
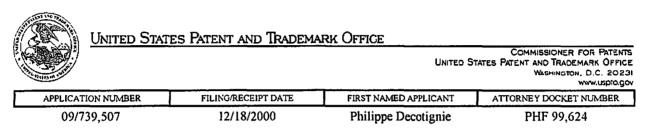


FIG.3

Page 1 of 1



CONFIRMATION NO. 3125 FORMALITIES LETTER

OC00000005830416\*

Jack E. Haken U.S. Philips Corporation 580 White Plains Road Tarrytown, NY 10591

Date Mailed: 03/06/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

#### FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. 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 oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

ut.

Customer Service Center Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

N un E APR 0 5 2001 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE IN THE Application of Atty. Docket PHILIPPE DECOTIGNIE PHF 99,624 Serial No. 09/739,507 Group Art Unit: 2681 Filed: DECEMBER 18, 2000 Examiner Title: ANTI-THEFT PROTECTION FOR RADIOTELEPHONY DEVICE Commissioner for Patents Washington, D.C. 20231 ATTENTION: APPLICATION DIVISION

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION mailed on MARCH 6, 2001, enclosed is a Declaration, properly signed by the Applicant and referring to the above case by its Serial Number and filing date, in compliance with 37 CFR 1.63, and a copy of the Notice. Accordingly, the above-identified patent application is now complete.

Please charge Deposit Account No. 14-1270 in the amount of \$130.00 for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 CFR 1.16(e).

Respectfully submitted,

By

Jack D. Slobod, Reg. 26,236 Attorney (914) 333-9606

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

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APR 0 5 2001		

As a below framed inventory, I hereby declare that: My residence, so shall be 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 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 "Anti-theft protection for a radiotelephony device"

the specification of which (check one)

is attached hereto.

was filed on 18 December 2000	as Application Serial No.	09/739,507	and was amended on
<u> </u>			(if applicable).

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

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APP. NUMBER	DATE OF FILING (DATE, MONTH, YEAR)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
France	9916136	21. December 1999	YES

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application 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 and the national or PCT international filing date of this application:

PRIOR UNITED STATES APPLICATION(S)

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (PATENTED, PENDING, ABANDONED)

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.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

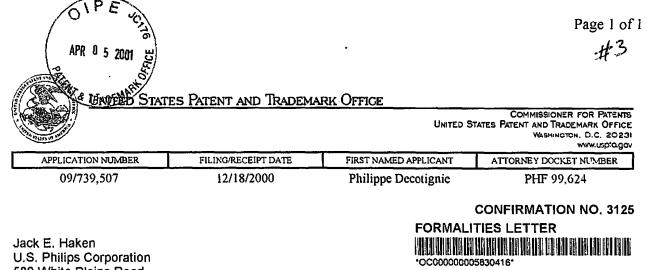
Jack E. Haken, Reg. No. 26,902 Michael E. Marion, Reg. No. 3 2266 Edward M. Blocker, Reg. No. 30,245

SEND CORRESPONDENCE TO: Corporate Patent Counsel;	DIRECT TELEPHONE CALLS TO:
U.S. Philips Corporation; 580 White Plains Road;	(name and telephone No.)
Tarrytown, NY 10591	(914) 332-0222

Dated: 25 Febru	ary 2001	Inventor's Signature:	Dely	
Full Name of Inventor	Last Name DECOTIGNIE	First Name Philippe	Middle Name	
Residence & Citizenship	City Le Mans	State or Foreign Country France	Country of Citizenship France	
Post Office Address	Street 21, rue du Tertre Saint- Pierre	City 72000 Le Mans	State or Country France	Zip Code

:#3 ATTORNEY'S DOCKET NO .:

PHF 99.624



580 White Plains Road Tarrytown, NY 10591

Date Mailed: 03/06/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. 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 oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

Isht

Customer Service Center Initial Patent Examination Division (703) 308-1202 PART 2 - COPY TO BE RETURNED WITH RESPONSE

сельнут 00000073 141270 — 09739507 130.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re Application of Atty. Docket PHILIPPE DECOTIGNIE PHF 99,624 Serial No. Group Art Unit

Filed: CONCURRENTLY

Title: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE Commissioner for Patents Washington, D.C. 20231

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

Ex.

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 abovereferenced 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 Jago.

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,

Marion, Reg. 32,266 Michael E. Attorney (914) 333-9641

PTO-1449 REFERENCE: (1 ) \\SERVER0\SYS2\WPDOCS\SL\MB13SLA0.MA0.doc

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ĺ		TRANSMITTAL	First Named Inventor	PHILIP	PE DECOTIGNIE	
To Cor	mmissioner	For Patents	Group Art Unit	2681		-
Enc	closed herewith	is a Form PTO-1449, required copies of documents listed cise explanation of their relevance is described below or enclosed	Examiner Name		5	
	rewith per 37 CF		Attorney Docket Number	PHF 9	9,624 <u>8/10</u>	601
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1 hereby c	ertify that this is	V CERTIFICATE OF MAILING O being deposited with the U.S. Postal Service with sufficient postage a		addressed to	: Commissioner For Patents	<b></b>
	-	r facsimile transmitted to the U.S. Patent and Trademark Office tel#			he date below:	
Name (Pr	rint Type)	NATALE A. MANZO				
Signature	,	Matchell Manga		Date	8/3/01	
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└ de la Fouchardière, Marie-Noelle Société Civile "SPID" 156, Boulevard Haussmann 75008 Paris FRANCE	Our P.E. ispk paying they pramination fre BSI Regards		RECEIVED RS 2001 SPID
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	NOTIFICATION		

L'Office européen de brevets a l'honneur de vous transmettre en annexe le rapport de recherche européen concernant la demande de brevet européen identifiée ci-dessus.

Le cas échéant, des copies de documents cités dans le rapport de recherche sont jointes.

Copie(s) supplémentaire(s) des documents cités dans le rapport de recherche européenne sont inclus également.

La division de la recherche a approuvé les données suivantes du demandeur:

🚺 Titre

La division de la recherche a modifié l'abrégé, le texte définitif étant joint à cette notification.

La figure suivante sera publiée avec l'abrégé: 2

Abrégé



# REMBOURSEMENT DE LA TAXE DE RECHERCHE

Si les conditions de l'article 10 du Règlement retatif aux taxes le justifient, une notification séparée de la Section de dépôt au sujet du remboursement de la taxe de recherche vous parviendra ultérieurement.

EPO Form 1507.0 (03.95)



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### Office européen des brevets RAPPORT DE RECHERCHE EUROPEENNE

Numéro de la demande EP 00 20 4467

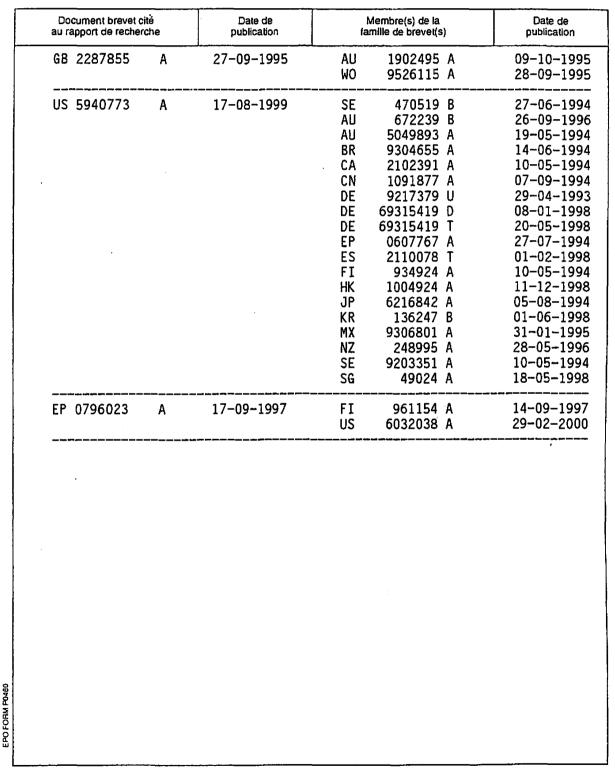
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A	US 5 940 773 A (BAH 17 août 1999 (1999- * colonne 3, ligne 56 *		1-10 e	
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### ANNEXE AU RAPPORT DE RECHERCHE EUROPEENNE RELATIF A LA DEMANDE DE BREVET EUROPEEN NO.

EP 00 20 4467

La présente annexe indique les membres de la famille de brevets relatifs aux documents brevets cités dans le rapport de recherche européenne visé ci-dessus. Lesdits members sont contenus au fichier informatique de l'Office européen des brevets à la date du Les renseignements fournis sont donnés à titre indicatif et n'engagent pas la responsabilité de l'Office européen des brevets.

Les renseignements fournis sont donnés à titre indicatif et n'engagent pas la responsabilité de l'Office européen des brevets. 28-02-2001



Pour tout renseignement concernant cette annexe : voir Journal Officiel de l'Office européen des brevets, No. 12/82

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Technical Developments PHHF 99020 EP

## **COMMUNICATION DEVICE INACTIVITY PASSWORD LOCK**

by Charles P. Schultz

When a communication device (radio, phone, etc.), is misplaced or left unattended, someone other than the authorized user could use it, leaving the legitimate user responsible for the consequences, financial or otherwise. A password lock feature currently allows users to "lock" their radios from use unless a correct password is entered, but this feature would not be activated when the device is accidentally misplaced, or the user hastily leaves his radio behind while attending to some urgent matter. An improvement over the current radio lock feature would be for the device to become locked after it is inactive for a preprogrammed period of time, similar to computer screen "locking" programs.

This invention allows the user to program an inactivity timer which would be reset each time a "physical input" occurs. If the timer expires, the communication device enters the "locked" mode and begins operation on a pre-programmed revert channel which is defined by one of the personalities stored in the device's memory. If the device is operating on a system that requires registration with a site, it will unregister prior to locking. The device optionally sends an over-the-air signal on the revert channel indicating the radio's ID and its "locked" status. This could alert a dispatcher to use a feature such as Remote Monitor to aid in locating a lost or stolen device. While locked, the device will not route any audio to its speaker. The device will receive and respond to over-the-air signaling, including an "unlock" transmission from the base station which can be used to assist users who have forgotten their passwords. The device is subject to the same unlocking procedure as the present radio password lock feature and, upon unlocking, it will register on the current site, if applicable. The device stores its locked state in non-volatile memory so it remains locked when power is cycled.

p-d. 11-1996

For the purposes of this feature, a wide variety of actions are classified as "physical inputs" so legitimate operation will not be interrupted. In addition to keypad, button and switch activation, receiving bus messages for memory reprogramming will reset the timer to insure that reprogramming will not be interrupted. A motion-sensing device and circuit could also be added to prevent the device from locking while it is being carried around in dispatch mode.

Some of the devices operating modes will inhibit the activation of the inactivity timer. In order to facilitate factory testing or field servicing of the device, the inactivity timer will not activate when it is in "test mode" or during rekeying. The timer will also remain inactive during Over-The-Air Programming (OTAP) and Over-The-Air-Rekeying (OTAR). To prevent interruption of critical transmissions, locking will be inhibited during Emergency feature transmissions, and during phone calls to emergency services such as 911.

C Motorola, Inc. 1996

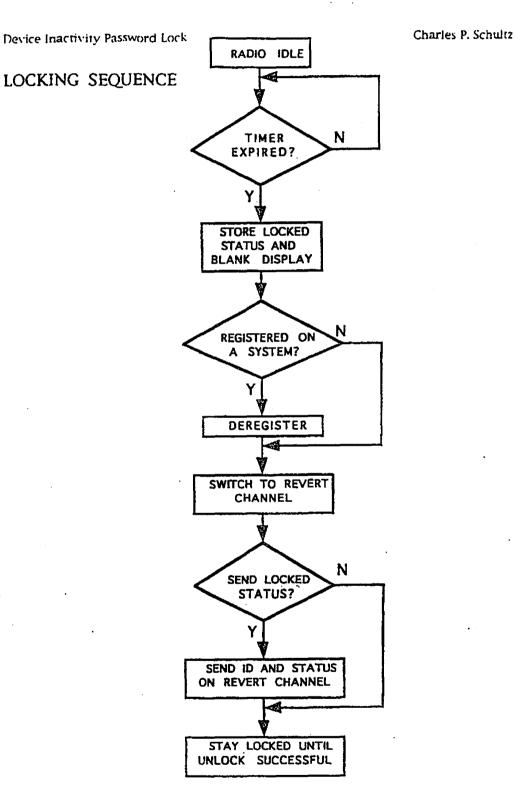
November 1996

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### Technical Developments

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November 1996



UNITED STATE. EPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

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# CHANGE OF ADDRESS/POWER OF ATTORNEY

FILE LOCATION 26C1 SERIAL NUMBER 09739507 PATENT NUMBER THE CORRESPONDENCE ADDRESS HAS BEEN CHANGED TO CUSTOMER # 24737 THE PRACTITIONERS OF RECORD HAVE BEEN CHANGED TO CUSTOMER # 24737 THE FEE ADDRESS HAS BEEN CHANGED TO CUSTOMER # 24737 ON 04/09/03 THE ADDRESS OF RECORD FOR CUSTOMER NUMBER 24737 IS:

> PHILIPS ELECTRONICS NORTH AMERICAN CORP 580 WHITE PLAINS RD TARRYTOWN NY 10591

AND THE PRACTITIONERS OF RECORD FOR CUSTOMER NUMBER 24737 ARE:

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## RECEIVED

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Technology Center 2600

PTO INSTRUCTIONS: PLEASE TAKE THE FOLLOWING ACTION WHEN THE CORRESPONDENCE ADDRESS HAS BEEN CHANGED TO CUSTOMER NUMBER: RECORD, ON THE NEXT AVAILABLE CONTENTS LINE OF THE FILE JACKET, 'ADDRESS CHANGE TO CUSTOMER NUMBER'. LINE THROUGH THE OLD ADDRESS ON THE FILE JACKET LABEL AND ENTER ONLY THE 'CUSTOMER NUMBER' AS THE NEW ADDRESS. FILE THIS LETTER IN THE FILE JACKET. WHEN ABOVE CHANGES ARE ONLY TO FEE ADDRESS AND/OR PRACTITIONERS OF RECORD, FILE LETTER IN THE FILE JACKET. THIS FILE IS ASSIGNED TO GAU 2683.

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		<u>d States Patent</u>	and Trademark Office	UNITED STATES DEPARTM United States Patent and Tr Adress COMMISSIONER FOR P PO. Bol 1450 Alexandria, Vignica 22313-145 www.uppto.gov	ademark Office		
	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
-	09/739,507	12/18/2000	Philippe Decotignie	PHF 99,624	3125		
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	P.O. BOX 3001 BRIARCLIFF N	MANOR, NY 10510		ZEWDU, MELESS NMN			
				ART UNIT	PAPER NUMBER		
				2683 DATE MAILED: 08/27/2003	7		

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

PTO-90C (Rev. 07-01)

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	Application No.	Applicant(s)
Office Action Summers	09/739,507	DECOTIGNIE, PHILIPPE
Office Action Summary	Examiner	Art Unit
	Meless N Zewdu	2683
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above, the maximum statutory period y - Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be tin y within the statutory minimum of thirty (30) day vill apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).
1) Responsive to communication(s) filed on	·	
2a) This action is FINAL. 2b) 🛛 Th	is action is non-final.	
3) Since this application is in condition for allowa closed in accordance with the practice under Disposition of Claims		
4) Claim(s) <u>1-10</u> is/are pending in the application	1.	
4a) Of the above claim(s) <u>none</u> is/are withdraw	n from consideration.	
5) Claim(s) <u>none</u> is/are allowed.		
6) Claim(s) <u>1-10</u> is/are rejected.		
7) Claim(s) <u>none</u> is/are objected to.		
8) Claim(s) none are subject to restriction and/or	election requirement.	
Application Papers		
9) The specification is objected to by the Examine	r.	
10) The drawing(s) filed on <u>18 December 2000</u> is/a	re: a)∏ accepted or b)⊠ objected	to by the Examiner.
Applicant may not request that any objection to the		
11) The proposed drawing correction filed on	_ is: a)□ approved b)□ disappro	oved by the Examiner.
If approved, corrected drawings are required in re	•	
12) The oath or declaration is objected to by the Ex	aminer.	
Priority under 35 U.S.C. §§ 119 and 120		
13) Acknowledgment is made of a claim for foreign	n priority under 35 U.S.C. § 119(a	a)-(d) or (f).
a)⊠ All b)□ Some * c)□ None of:		
1. Certified copies of the priority document	s have been received.	
2. Certified copies of the priority document	s have been received in Applicat	ion No
3. Copies of the certified copies of the prio application from the International Bu * See the attached detailed Office action for a list	reau (PCT Rule 17.2(a)).	•
14) Acknowledgment is made of a claim for domesti	c priority under 35 U.S.C. § 119(	e) (to a provisional application).
a)  The translation of the foreign language pro 15) Acknowledgment is made of a claim for domest	••	
Attachment(s)		
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u></li> </ol>	5) 🔲 Notice of Informal	y (PTO-413) Paper No(s) Patent Application (PTO-152)
U S Patent and Trademark Olfice PTOL-326 (Rev. 04-01) Office Ac	ction Summary	Part of Paper No. 7

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Page 2

### DETAILED ACTION

- 1. This action is the first on the merit of the instant application.
- 2. Claims 1-10 are pending in this action.

### Drawings

The drawings are objected to because of lack of proper labeling. The figures and parts of the figures should be labeling for purposes of clarity (e.g. Radiotelephone; SIM card; Display etc.) A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### Specification

The abstract of the disclosure is objected to because of the following reasons. One, it is presented in more than one paragraph. Rules and practices of the Office require that the abstract should be of one single paragraph. Two, no other text may follow the abstract. In this case the text "Reference: Fig. 2", in line 10 of the abstract is not inline with the rules and practices of the US PTO. If applicant wishes, reference figures can be incorporated into the body of the abstract and in parenthesis. Correction is required. See MPEP § 608.01(b).

Page 3

The disclosure is objected to because of the following informalities: the phrase, " In the drawings" on page 3, line 6 is an improper heading. It should be changed with "Brief Description of the Drawings". Appropriate correction is required.

### **Claim Objections**

Claim 8 is objected to because of the following informalities: claim 8 is a method claim which improperly made to depend on the apparatus claim of 1. Claim 8 and all claims that subsequently depend from it should further limit the method steps of claim 7 or be modified in a form of apparatus claim 1. Appropriate correction is required.

### Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The program needs to be embedded on a computer readable medium within the method to carry out the steps.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Pinault (US 5,913,175) in view of Grant et al. (Grant) (US 6,095,416).

As per claim 1: a mobile radiotelephone device intended for accommodating a user

identification module, said device comprising:

A connecting means for establishing a link between the device and the identification

module mounted inside the device dreads on '175 (see abstract; col. 1, lines 32-39; col.

3, lines 49-63).

Blocking means for preventing the normal operation of the device reads on '175 (see

col. 6, lines 3-7; col. 9, line 63-col. 10, line 7).

Test means for activating the blocking means when the identification module mounted

inside the device is not the one that is linked to the device reads on '175 (see col. 6,

lines 48-67; col. 11, lines 34-57). But, Pinault does not explicitly teach about a timing

means for activating the blocking means after the device has been inactive for a defined

period of time and de-blocking means for permitting normal operation of the device

when the identification module placed inside the device is the one that is linked to the

device and when a de-blocking code is supplied by the user, as claimed by applicant.

Page 4

Page 5

However, in a related field of endeavor, Grant teaches about a "method and device for preventing unauthorized use of credit card" wherein a card, such as a credit card with personal information, is provided with a timing means that disables the card after a predetermined period of activation (see col.3, lines 59-65). Furthermore, the card, among others can be a smart electronic card (see col. 4, lines 1-3) which can be associated to a portable auxiliary device (see col. 3, lines (see 65-67). Once, deactivated after a predetermined period of inactivity, the card can be reactivated by using a personal identification number (PIN) provided by the user (see col. 10, lines 43-48). The subscriber identification module (SIM) in Pinault's reference and the credit card (the smart card version) in Grant's reference are both smart cards and both for use in providing protection/security for personal information, and hence, combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Pinault's SIM with the teaching of Grant for the advantage of preventing the SIM card from fraudulent use by unauthorized person. **As per claim 3:** a device characterized in that it comprises:

Locking/unlocking means for locking/unlocking the device, while said blocking means can only be activated when the device is locked, and said link is established while the device is being locked reads on '175 (see col. 5, line 58-col. 6, line 32).

As per claim 4: a device characterized in that said connection means comprises: Means for reading and storing a data stored in the identification module, and that said test means compares this data thus stored with the data in the identification module that is placed inside the device reads on 175 (see col. 6, lines 52-67; col. 11, lines 42-57).

As per claim 5: a device characterized in that:

Said data is formed by the international identification number stored in the user identification module, dreads on '175 (see col. 1, lines 32-39).

As per claim 6; a device characterized in that:

Said de-blocking code is formed by the personal identification number stored in the identification module reads on '175 (see col. 1, lines 58-65).

As per claim 7: most of the features of claim 7 are similar to the features of claim 1.

Hence the similar features are rejected on the same ground and motivation as claim 1.

The difference feature, which is directed to blocking of the normal operation of the device when said period of inactivity has been detected, reads on '416 (see col. 3, lines 59-67).

As per claim 8: a method of protecting a mobile radiotelephone device characterized in that it comprises:

A step of locking the device, while the blocking steps can only be executed when the device is locked, and the step of establishing a link between the device and the identification module placed inside the device is executed when the device is locked reads on '175 (see col.6, lines 1-22).

As per claim 9: a method of protecting a mobile radiotelephone device, characterized in that the step of establishing a link between the device and the identification module placed inside the device comprises:

A step of reading and storing a data stored in said identification module, and in that the test step comprises comparing thus stored with the data stored in the identification

Page 7

module that is placed inside the device reads on '175 (see col. 5, lines 41-53; col. 6, lines 52-61).

As per claim 10: a computer program comprising means for implementing a method as claimed in claim 7 of protecting a mobile radiotelephone device reads on '175 (see col. 1, line 44-col. 2, line 36; col. 4, lines 46-49; col. 11, lines 63-67) Algorithm is a body of steps a given program follows.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pinault in view of Grant as applied to claim 1 above, and further in view of Miller et al. (Miller) (US 6,141,563).

As per claim 2: some of the features of claim 2, particularly the first blocking and second blocking, are similar to the features of claim 1. Hence, the similar features of claim 2 are rejected on the same ground and motivation as claim 1. The difference feature of claim 2 from claim 1 is the one directing to excepting/allowing one or more emergency numbers which is not taught by both of the references used in claim 1. However, in a related field of endeavor, Miller teaches a subscriber unit can be preprogrammed to permit access to use, without the SIM card, for emergency fire or police numbers (see col. 4, lines 20-39). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made modify the above references with the teaching of Miller for the advantage of summoning help during an emergency situation.

Page 8

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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) 306-0377.

WAR

WILLIAM POORT SUPERVISION FORMAL EXAMINER TECHNOLOGY COMED 2600

Meless Zewdu 角・そ・

Examiner 21 August 2003.

Page 64 of 175

		Notice of Reference	s Cited		Application/ 09/739,507	Control No.	Applicant(s)/Pa Reexamination DECOTIGNIE,	ו		
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*.		Document Number Country Code-Number-Kind Code	Date MM-YYYY			Name		Classification		
*	A	US-5,913,175 🖌	06-1999	Pinault				455/558		
	в	US-6,095,416	08-2000	Grant e	et al.			235/449		
	С	US-6,141,563 -	10-2000	Miller e	et al.			455/558		
	D	US-5,907,804 🖌	05-1999	Schrod	lerus et al.			455/411		
	E	US-6,490,463 B1	12-2002	Portalie	er et al.			455/557		
	F	US-5,204,663 🗸	04-1993	Lee				340/825.34		
	G	US-6,583,714 B1	06-2003	Gabou	et al.	·····		340/5.54		
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U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 7

#58 p.3 Ja 12/51 63

Darrin Wesley Harris

317-595-0993

PTO/SB/22 (12-97) Approved for use through 9/30/00, CMB 0651-0031 Pationi and Tredamerk Officor, U.S. DEPARTMENT OF COMMERCE

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9314 to the United States Patent and Trademark Office on this date: December 2, 2003.

DECEMBER 2, 2003

Dec 02 03 10:20a

DARRIN WESLEY HARRIS

PETITION FOR EXTENSI	ON OF TIME UNDE	R 37 CFR 1.136	(a)	Docket Number PHF 99,624 000034
	In re Application of:	PHILIPPE DEC	OTIGN	IE .
	Application Number:	09/739,507	Filed:	DECEMBER 18, 2000
	For: ANTI-THEFT	PROTECTION F		ADIOTELEPHONY DEVICE
	Group Art Unit: 2683		Examin	ner: ZEWDU, MELESS NMN
s a request under the provision August 27, 2003 in the above	ins of 37 CFR 1.136(a	) to extend the per	iod for fi	iling a response to Office Action
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Two months (37 CFR 1			\$	420.00
Three months (37 CFR	1.17(a)(3))		\$	950.00
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Dated: DECEMBER 10, 2003	( 1	DARRIN WESLEY Registration No. 4 Attorney for Applic	(HARRI 0,636	<u></u>
CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, Illinois 60201 1847) 905-7111		-		

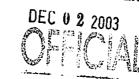
-----PAGE 3/19 \* RCVD AT 12/2/2003 10:20:08 AM (Eastern Standard Time) \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729314 \* CSID:317 595 0993 \* DURATION (mm-85):07-42

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Darrin Wesley Harris 317-595-0993 RECEIVED CENTRAL FAX CENTER

p.1

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**OFFICIAL** 

# CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 – 905 - 7111 Facsimile 847 – 905 - 7113

### CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

Date:

**DECEMBER 2, 2003** 

To:

Fax #:

EXAMINER MELESS NMN ZEWDU U.S. PATENT AND TRADEMARK OFFICE (703) 872-9314

From:DARRIN WESLEY HARRISFax #:(847) 905-7111

Client/Matter No.: PHF 99,624 (7790/310)

# of Pages: 19 (including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL <u>847/905-7111. Ext. 2280, AND ASK FOR</u> JENNIFER CRUZ.

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				Ø	раре	reby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this er is timely filed. Please charge any associated fees which have not otherwise been paid eposit Account No. <u>59-1713</u> . A duplicate copy of this sheet is enclosed.						
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PATENT Case No. PHF 99,624 (7790/310)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In repatent application of:

PHILIPPE DECOTIGNIE

Certificate of Facsimile I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9314 to the U.S. Desember 2, 2003 (Date of Deposit)

December 2, 2003 Dute of Signature

DARRIN WESI

Name

Serial No.: 09/739,507

Filed: **DECEMBER 18, 2000** 

For: ANTI-THEFT PROTECTION FOR ) A RADIOTELEPHONY DEVICE ) Examiner: ZEWDU, MELESS

Group Art Unit: 2683

### **RESPONSE TO NON-FINAL OFFICE ACTION DATED AUGUST 27, 2003**

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

Sir:

Dec 02 03 10:20a

In response to the non-final Office action of August 27, 2003, please amend the above referenced application as follows and reconsider the application in light of the following remarks.

p.5

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 2 of 15

#### SPECIFICATION AMENDMENTS:

Please amend the paragraph beginning at page 1, line 4 as follows: "The invention relates to a mobile radiotelephony device intended for accommodating a user identification module, where the device has an established link to an identification module to thereby prevent a normal operation of the device when an identification module other than the linked identification module is mounted inside the device. device comprising:

---- connecting means for establishing a link between the device and the identification module mounted inside the device,

-blocking means-for-preventing-the normal operation of the device,

 test means for activating the blocking means when the identification module mounted-inside the device is not the one that is linked to the device."

Please amend the paragraph beginning at page 2, line 2 as follows:

"It is notably an object of the invention to resolve this problem. For this purpose, a device in accordance with the invention (1) verifies a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device (2) detects a period of inactivity of the mobile radiotelephony device, (2) detects a period of inactivity of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls, and (3) prevents the normal operation of the mobile radiotelephony device in response to the verification of the user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device. and as described in the opening paragraph is characterized in that it comprises:

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#### Darrin Wesley Harris

317-595-0993

p.6

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 3 of 15

### Please amend the paragraph beginning on page 3, line 20 as follows:

"Fig. 2 shows the overall electrical diagram of this device 1. The operation of the device 1 is, in essence, controlled by a microprocessor assembly 20 which comprises a microprocessor (" $\mu$ P") 22 to which are associated a random access memory ("RAM") 24 and a read-only memory ("ROM") 26. This assembly is connected to a man-machine interface 30 via a common line 32. This man-machine interface 32 controls the screen 8 and the keypad 9. The common line 32 also connects the microprocessor assembly 20 to a transceiver assembly ("TX") 35 via an interface circuit 38. The transceiver assembly 35 is connected to the antenna 11. Finally, the common line 32 also connects the microprocessor assembly 20 to a card reader 39."

Please <u>add</u> the following paragraph beginning on page 5, line 29 as follows: "While the embodiments of the invention disclosed herein are presently considered to be preferred, various changes and modifications can be made without departing from the spirit and scope of the invention. The scope of the invention is indicated in the appended claims, and all changes that come within the meaning and range of equivalents are intended to be embraced therein."

Please amend the Abstract as attached hereto.

-----PAGE 6/19 \* RCVD AT 12/2/2003 10:20:08 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729314 \* CSID:317 595 0993 \* DURATION (mm-ss):07-42

#### Dec 02 03 10:21a Darrin Wesley Harris

p.7

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 4 of 15

#### **DRAWING AMENDMENTS:**

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The attached replacement informal drawing sheet 1/2 includes proposed changes to FIGS. 1 and 2. Specifically, "1" has been added to FIG. 1 to label the device, "D1" has been added within module 13 of FIG. 1 to label the IMIS data, and "TX" has been added within transceiver assembly 35 of FIG. 2.

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p.8

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 5 of 15

## CLAIM AMENDMENTS:

Claims 1-10 are currently pending in the application.

Please cancel claims 1-10 without prejudice or disclaimer as to the subject matter of claims 1-10.

Please add claims 11-30 as shown below.

The following listing of claims 1-30 will replace all prior versions, and listings, of claims in the application:

1.-10. (Cancelled)

11. (New) A mobile radiotelephony device, comprising:

blocking means for preventing a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of outgoing calls;

timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device; and

deblocking means for permitting the normal operation of the mobile radiotelephony device in response to a supply of a debugging code to the mobile radiotelephony device subsequent to the mounting of the linked user identification module inside the mobile radiotelephony device and subsequent to the defined period of time.

12. (New) The mobile radiotelephony device of claim 11, wherein an activation of the blocking means prevents all transmission of outgoing calls.

13. (New) The mobile radiotelephony device of claim 11, wherein an activation of the blocking means prevents all transmissions of non-emergency outgoing calls and permits all transmissions of emergency outgoing calls.

PAGE 8/19 \* RCVD AT 12/2/2003 10:20:08 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729314 \* CSID:317 595 0993 \* DURATION (mm-ss):07-42\_

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### 317-595-0993

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 6 of 15 p.9

14. (New) The mobile radiotelephony device of claim 11, further comprising: locking means for facilitating an activation of the block means by the timing means.

15. (New) The mobile radiotelephony device of claim 11, further comprising: connecting means for establishing a link between the mobile radiotelephony device and the linked user identification module.

16. (New) The mobile radiotelephony device of claim 15, further comprising: locking means for facilitating an establishment of the link between the mobile radiotelephony device and the linked user identification module by the connection means.

17. (New) The mobile radiotelephony device of claim 11, wherein an international identification number stored on the linked user identification module is stored on the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked user identification module.

18. (New) The mobile radiotelephony device of claim 11, wherein a personal identification number stored on the linked user identification module is stored as the debugging code on the mobile radiotelephony device.

 (New) The mobile radiotelephony device of claim 11, further comprising: test means for activating the blocking means when any unlinked user identification module is mounted inside the mobile radiotelephony device.

20. (New) A method of protecting a mobile radiotelephony device, the method comprising:

verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device;

PAGE 9/19 \* RCVD AT 12/2/2003 10:20:08 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729314 \* CBiD:317 595 0993 \* DURATION (mm-ss):07-42.

Page 74 of 175

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 7 of 15

detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls;

preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device.

21. (New) The method of claim 20, further comprising:

permitting the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to a supply of a debugging code to the mobile radiotelephony device subsequent to the detection of the period of inactivity of the mobile radiotelephony device.

22. (New) The method of claim 20, wherein the prevention of the normal operation of the mobile radiotelephony device prevents all transmissions of outgoing calls.

23. (New) The method of claim 20, wherein the prevention of the normal operation of the mobile radiotelephony device prevents all transmissions of nonemergency outgoing calls and permits all transmissions of emergency outgoing calls.

24. (New) The method claim 20, further comprising:

storing an international identification number stored on the linked user identification module onto the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked user identification module.

25. (New) The method claim 21, further comprising:

storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as the debugging code.

Page 75 of 175

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December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 8 of 15

26. (New) The method of claim 20, further comprising:

preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device.

27. (New) In a mobile radiotelephony device, a computer readable medium comprising:

computer readable code for verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device;

computer readable code for detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls;

computer readable code for preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device.

28. (New) The computer readable medium of claim 27, further comprising: computer readable code for permitting the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification

module and in response to a supply of a debugging code to the mobile radiotelephony device subsequent to the detection of the period of inactivity of the mobile radiotelephony device.

 29. (New) The computer readable medium of claim 28, further comprising: storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as the debugging code.

30. (New) The computer readable medium of claim 27, further comprising:

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# Darrin Wesley Harris

# 317-595-0993

p.12

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 9 of 15

preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device.

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## Darrin Wesley Harris

## 317-595-0993

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 10 of 15

# **<u>REMARKS/DISCUSSION OF ISSUES</u>**

<u>Priority Claim</u>. The Applicant thanks Examiner Zewdu for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

Specification. In the Non-Final Office Action, Examiner Zewdu objected to the specification. The Applicant has amended the specification herein to obviate Examiner Zewdu's objections to the specification, except for the objection to page 3, line 6. The Applicant respectfully asserts that the proper heading "Brief Description of the Drawings" is recited on page 3, line 1. No new matter was introduced by the amendment of the specification herein. Withdrawal of the objections to the specification is therefore respectfully requested.

Drawings. In the Non-Final Office Action, Examiner Zewdu objected to the drawings. The attached replacement informal drawing sheet 1/2 includes proposed changes to FIGS. 1 and 2 to obviate Examiner Zewdu's objections to the drawings. The Applicant respectfully asserts that FIGS. 1 and 2 are properly labeled by the drawing amendments herein, and no new matter was introduced into the drawing amendments herein. Examiner Zewdu is therefore respectfully requested to approve the proposed replacement informal drawing sheet 1/2.

<u>Claims</u>. In the Non-Final Office Action, Examiner Zewdu rejected objected to and rejected pending claims 1-10 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

A. Examiner Zewdu objected to pending claim 8.

-----PAGE 13/19 \* RCVD AT 12/2/2003 10:20:08 AM (Eastern Standard Time) \* SVR:USPTO-EFXRF-1/2 \* DNIB:8729314 \* CSID:317 595 0993 \* DURATION (mm-ss):07-42\_\_\_

p.13

317-595-0993

p.14

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 11 of 15

The Applicant has cancelled pending claim 8 without prejudice or disclaimer to the subject matter of claim 8. Withdrawal of the objection of claim 3 is therefore respectfully requested.

# Examiner Zewdu rejected pending claim 10 under 35 U.S.C. §112, ¶2.

The Applicant has cancelled pending claim 10 without prejudice or disclaimer to the subject matter of claim 10. Withdrawal of the rejection of claim 10 under 35 U.S.C. §112, ¶2 is therefore respectfully requested.

## C. Examiner Zewdu rejected pending claims 1 and 3-10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,913,175 to *Pinault* in view of U.S. Patent No. 6,095,416 to *Grant* et al.

The Applicant has thoroughly considered Examiner Zewdu' remarks concerning the patentability of claims 1 and 3-10 over *Pinault* in view of *Grant*. The Applicant has also thoroughly read *Pinault* and *Grant*. To warrant this 35 U.S.C. §103(a) rejection of claims 1 and 3-10, all the claim limitations recited in independent claims 1 and 7 must be taught or suggested by the combination of *Pinault* and *Grant*. See, MPEP §2143. The Applicant respectfully traverses this §103(a) rejection of claims 1 and 3-10, because *Pinault* and *Grant* in combination fails to disclose, teach or suggest the following limitations of independent claims 1 and 7:

1. "<u>timing means for activating the block means after the device</u> <u>has been inactive fro a defined period of time</u>" as recited in independent claim 1; and

2. "<u>detection of a period of inactivity of the device</u>", and "<u>blocking of the normal operation of the device when said period of</u> <u>inactivity has been detected</u>" as recited in independent claim 7.

317-595-0993

p.15

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 12 of 15

As to the traversal, Examiner Zewdu has correctly recognized *Pinault*'s failure to disclose, teach or suggest the aforementioned limitations of independent claims 1 and 7. A proper reading of *Grant* reveals that *Grant* also fails to teach or suggest the aforementioned limitations of independent claims 1 and 7.

Specifically, Grant discloses authorization cards having a default disabled state and an enabled state, where the cards revert from the enabled state to a default disabled state after a predetermined period of time. <u>See</u>, *Grant* at column 3, lines 54-66. In a first embodiment as illustrated in FIGS. 4(a) and 4(b) of *Grant*, a removal of pressure from a polymer 36 allows polymer 36 to return to its original shape that corresponds to the default disabled state. <u>See</u>, *Grant* at column 6, lines 11-19. *Grant* clearly fails to teach or suggest a returning of polymer 36 to its original shape as being a function of an inactivity of a device.

In a second embodiment as illustrated in FIG. 7(c) of *Grant*, a sufficient charge bleed off a capacitor 106 reverts the card to the default disabled state. <u>See</u>, *Grant* at column 10, lines 43-48. *Grant* clearly fails to teach or suggest bleeding of capacitor 106 as being a function of an inactivity of a device.

In a third embodiment as illustrated in FIG. 9(c) of *Grant*, a removal of pressure from a membrane 214 allows membrane 214 to return to its original shape that corresponds to the default disabled state. See, *Grant* at column 11, lines 28-40. *Grant* clearly fails to teach or suggest a returning of membrane 214 to its original shape as being a function of an inactivity of a device.

While the Applicant respectfully traverses this 35 U.S.C. §103(a) rejection of claims 1 and 3-10 as shown above, the Applicant has cancelled claims 1 and 3-10 herein without prejudice and disclaimer to the subject matter of claims 1 and 3-10 herein, and added new claims 11-30. The Applicant respectfully asserts that *Pinault*, *Grant* and the remaining art of record, alone or in combination, fails to disclose, teach or suggest the following limitation combinations of new independent claims 11, 20 and 27:

1. "<u>timing means for activating the blocking means in response to the</u> mobile radiotelephony device being inactive during the normal operation

-PAGE 15/19 \* RCVD AT 12/2/2003 10:20:08 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729314 \* CSID:317 595 0993 \* DURATION (mm-ss):07-42

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p.16

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December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 13 of 15

of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device" as recited in independent claim 11;

2. "<u>preventing the normal operation of the mobile radiotelephony device</u> in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 20; and

 "computer code for preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 27.

Withdrawal of the rejection of claims 1 and 3-10 under §103(a) as being unpatentable over *Pinault* in view of *Grant* and an allowance of claims 11-30 are therefore respectfully requested.

D. Exas

Examiner Zewdu rejected pending claim 2 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,913,175 to *Pinault* in view of U.S. Patent No. 6,095,416 to *Grant* et al. and in further view of U.S. Patent No. 6,141,563 to *Miller* et al.

The Applicant has cancelled pending claim 2 without prejudice or disclaimer to the subject matter of claim 2. Withdrawal of the rejection of dependent 2 under 35 U.S.C. §103(a) being unpatentable over *Pinault* in view of *Grant* and in further view of *Miller* is therefore respectfully requested.

317-595-0993

p.17

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 14 of 15

## <u>SUMMARY</u>

Examiner Zewdu's objections and rejections of pending claims 1-10 have been obviated by the cancellation herein of claims 1-10. The Applicant has supported an allowance of new claims 11-30 over the art of record. The Applicant respectfully submits that claims 11-30 as added herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Zewdu is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: December 2, 2003

Respectfully submitted, Philippe Decotignie

PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. Box 3001 Briarcliff, New York 10510 Phone: (914) 333-9612 Fax: (914) 332-0615

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Darrin Wesley Harris Registration No. 40,636 Attorney for Applicant

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317-595-0993

p.18

December 2, 2003 Case No. PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 15 of 15

# ABSTRACT

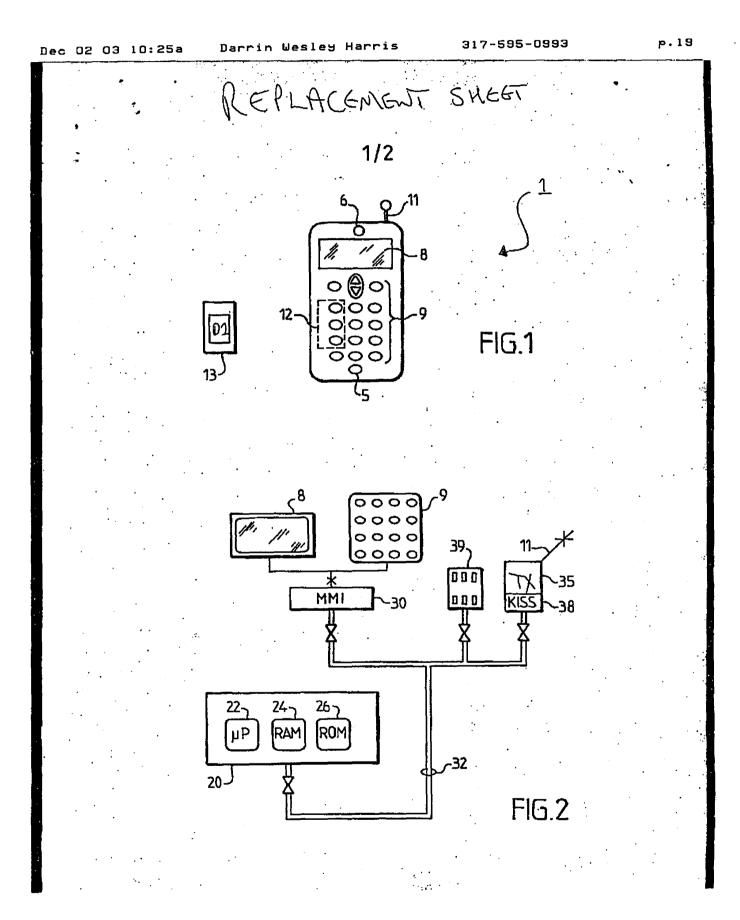
The invention proposes a method of protecting a <u>A</u> mobile radiotelephony device intended for accommodating a <u>linked</u> user identification module to be able to operate. The invention has for its object to protect such a device against theft offers protection against theft. The device prevents a normal operation of the device with an unlinked identification module, and permits the normal operation of the device with the linked identification module until such time the device has been inactive for a defined period of time. A debugging code can be supplied to the device subsequent to a detection of the defined period of time to again permit the normal operation of the device with linked identification module.

For this purpose, a device in accordance with the invention comprises means for: ——preventing the use of the device with an identification module other than the user's,

----asking the user for a deblocking code after a short time that the device has been inactive and preventing the use of the device if this code has not been supplied.

Reference: Fig. 2

-PAGE 18/19 \* RCVD AT 12/2/2003 10:20:08 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729314 \* CSID:317 595 0993 \* DURATION (mm-ss):07-42\_\_\_\_\_



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,507	12/18/2000	Philippe Decotignie	PHF 99,624	3125
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			DATE MAILED: 02/19/200	4

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

PTO-90C (Rev. 10/03)

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	Application No.	Applicant(s)				
Office Action Oursen	09/739,507	DECOTIGNIE, PHILIPPE				
Office Action Summary	Examiner	Art Unit				
	Meless N Zewdu	2683				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 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 - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be y within the statutory minimum of thirty (30) di will apply and will expire SIX (6) MONTHS fro , cause the application to become ABANDON	timely filed ays will be considered timely. m the mailing date of this communication. IED (35 U.S.C. § 133).				
Status						
<ol> <li>1) Responsive to communication(s) filed on <u>02 December 2003</u>.</li> <li>2a) This action is FINAL.</li> <li>2b) This action is non-final.</li> <li>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 <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213.</li> </ol>						
Disposition of Claims						
<ul> <li>4)  Claim(s) <u>11-30</u> is/are pending in the application 4a) Of the above claim(s) is/are withdray 5) Claim(s) is/are allowed.</li> <li>6)  Claim(s) <u>11-30</u> is/are rejected.</li> <li>7) Claim(s) is/are objected to.</li> <li>8)  Claim(s) are subject to restriction and/o</li> </ul> Application Papers <ul> <li>9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accord Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine 10.</li></ul>	wn from consideration. r election requirement. er. epted or b) objected to by the drawing(s) be held in abeyance. S tion is required if the drawing(s) is o	ee 37 CFR 1.85(a). bjected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority document</li> <li>2. Certified copies of the priority document</li> <li>3. Copies of the certified copies of the priority application from the International Bureau</li> <li>* See the attached detailed Office action for a list</li> </ul>	s have been received. s have been received in Applica rity documents have been receiv u (PCT Rule 17.2(a)).	tion No ved in this National Stage				
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date U.S. Patent and Trademark Office	6) 🗌 Other:	Date Patent Application (PTO-152)				
PTOL-326 (Rev. 1-04) Office Ac	ction Summary	Part of Paper No./Mail Date 10				

# DETAILED ACTION

# Response to Amendment (A)

- 1. This action is in response to the communication filed on 12/2/03.
- 2. The original claims 1-10 have been canceled in the current amendment.
- 3. New Claims 11-30 are pending in this action.
- 4. This action is final and finality was necessitated by the current amendment.

# 5. Objections to the drawings, the specification, the claim and the Claim

Rejections under - 35 USC § 112, provided in the previous Office Action, have been

withdrawn consequent to applicant's amendment of the claims, the drawings and the specification.

# Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

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.

Claims 11, 18, 21, 28 and 29 are rejected under 35 U.S.C. 112, first paragraph,

as failing to comply with the written description requirement. The claim(s) contains

subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. The claims include a

"debugging means" feature which has no support in the specification. What is discloses

in the spec. is deblocking. The two features have two different meanings. Debugging,

for instance, is directed to a process of finding and correcting errors while deblocking is just an act of allowing something which has been prevented to pass through.

# Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 11 and 13-30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Pinault (US 5,913,175) in view of Grant et al. (Grant) (US 6,095,416).

As per claim 11: a mobile radiotelephone device, comprising:

blocking means for preventing a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of outgoing calls reads on '175 (see col. 9, lines 52-63). The prior art discloses that a terminal can be switched <u>off</u> and <u>on</u> between locked mode and unlocked mode, even if the user card with which it is cooperating is the linked user card, using code. But Pinault does not explicitly teach, the difference feature, which is directed to timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the radiotelephony device, as claimed by applicant. However, in a related field of endeavor, Grant teaches about a

"method and device for preventing unauthorized use of credit card" wherein a card, such as a credit card with personal information, is provided with a timing means that disables the card after a predetermined period of activation (see col.3, lines 59-65). Furthermore, the card, among others can be a smart electronic card (see col. 4, lines 1-3) which can be associated to a portable auxiliary device (see col. 3, lines (see 65-67). Once, deactivated after a predetermined period of inactivity, the card can be reactivated by using a personal identification number (PIN) provided by the user (see col. 10, lines 43-48). The subscriber identification module (SIM) in Pinault's reference and the credit card (the smart card version) in Grant's reference are both smart cards and both for use in providing protection/security for personal information, and hence, combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Pinault's SIM with the teaching of Grant for the advantage of preventing the SIM card from fraudulent use by unauthorized person. As fper claim 12: the mobile radiotelephony device wherein an activation of the blocking means prevents all transmission of outgoing calls reads on '175 (see col. 9, lines 63-65).

As per claim 14: the mobile radiotelephony device further comprising:

locking means for facilitating an activation of the block means by the Itiming means reads '416 (see col. 3, lines 59-67). When the references are combined as shown above, the Pinault's block/unblock means would be able to operate as a function of Grant's predetermined time.

As per claim 15: the radiotelephony device further comprising:

connecting means for establishing a link between the mobile radiotelephony device and the linked user identification module reads on '175 (see col. 5, lines 1-40). As per claim 16: the mobile radiotelephony device further comprising:

locking means for facilitating an establishment of the link between the mobile radiotelephony device and the linked user identification module by the connection means reads on '175 (see col. 5, lines 1-40).

As per claim 17: the mobile radiotelephony device wherein:

an international identification number stored on the linked user identification module is stored on the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked user identification module reads on '175 (see 1, lines 32-53).

As per claim 18: the mobile radiotelephony device wherein:

a personal identification number stored on the linked user identification module is stored as the debugging code on the mobile radiotelephony device reads on '416 (see col. 59-67).

As per claim 19: the mobile radiotelephony device further comprising:

test means for activating the blocking means when any unlinked user identification module is mounted on the mobile radiotelephony device reads on '175 (see col. 6, lines 52-67; col. 11, lines 42-57).

As per claim 20: a method of protecting a mobile radiotelephony device, the method comprising:

verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device reads on '175 (see col. 6, lines 48-67; col. 7, line 39-col. 8, line 16; col. 9, lines 7-16). Authentication is same as verification.

wherein the normal operation includes a processing of all outgoing calls reads on '175 (see abstract).

preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module reads on '175 (see col. 9, lines 63-65). It is inherent to Pinault's The difference feature directed to detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device and in response to the detection of the period of inactivity preventing the operation of the mobile radiotelephony device is same as the difference feature addressed in claim 1 above. Hence, the difference feature in claim 20 is rejected on the same ground and motivation as claim 1.

As per claim 21: the method further comprising:

permitting the normal operation of the radiotelephony device in response to the verification of the linked user identification module and in response to a supply of a debugging code to the mobile radiotelephony device reads on '175 (see Abstract; col. 1, line 32-col. 2, line 20; col. 9, line 57-col. 10, line 7).

the detection of the period of inactivity of the mobile radiotelephony device reads on '416 (see col. 3, lines 59-67). The combination of the two references and the subsequent motivation is as provided in claim 1.

As per claim 22: the method wherein:

the prevention of the normal operation of the radiotelephony device prevents all transmission of outgoing calls reads on '175 (see abstract). It is so obvious that a mobile radiotelephone device in a normal operation mode transmits all outgoing calls.

As per claim 24: the method further comprising:

storing an international identification number on the linked user identification module onto the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked identification module reads on '175 (see col.1, lines 32-53).

As per claim 25: the method further comprising:

storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as a debugging code reads on '416 (see col. 3, lines 59-67).

As per claim 26: the method further comprising:

preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device reads on '175 (see col. 6, lines 52-67; col. 11, lines 42-57). **As per claim 27:** in a mobile radiotelephony device, a computer readable medium comprising:

computer readable code for verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device reads on

'175 (see col. 1, lines 45-65; col. 6, lines 48-67; col. 7, line 39-col. 8, line 16; col. 9, lines
7-16). Algorithm indicates a computer readable medium in the context of the prior art. wherein the normal operation includes a processing of all outgoing calls reads
on '175 (see abstract).

computer readable code for preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module reads on '175 (see col. 9, lines 63-65). The difference feature directed to detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device and in response to the detection of the period of inactivity preventing the operation of the mobile radiotelephony device is same as the difference feature addressed in claim 1 above. Hence, the difference feature in claim 20 is rejected on the same ground and motivation as claim 1 since computer readable code is obvious in the prior art usage of algorithmic functions.

As per claim 28: the computer readable medium further comprising:

computer readable code for permitting the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to a supply of a debugging code to the mobile radiotelephony device reads on '175 (see Abstract; col. 1, line 32-col. 2, line 20; col. 9, line 57-col. 10, line 7).

the detection of the period of inactivity of the mobile radiotelephony device reads on '416 (see col. 3, lines 59-67). The combination of the two references and the subsequent motivation is as provided in claim 1.

As per claim 29: the computer readable medium further comprising:

storing a personal identification number stored on the liked user identification module onto the mobile radiotelephony device as the debugging code reads on '175 (see col. 3, lines 59-67).

As per claim 30: the computer readable medium further comprising: preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device reads on '175 (see col. 6, lines 52-67; col. 11, lines 42-57).

Claims 13 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinault in view of Grant as applied to claim 1 above, and further in view of Kolev et al. (Kolev) (US 6,125,283).

As per claim 13: but, Pinault in view of Grant do not explicitly teach about a mobile radiotelephony device wherein an activation of the blocking means prevents all transmission on non-emergency outgoing calls and permits all transmission of emergency outgoing calls, as claimed by applicant. However, in a related field of endeavor, Kolev teaches that a mobile terminal can be provided with the ability to switch from a current mode an alternative mode to process emergency calls and to acquire services that do not require valid subscriber identity (see abstract; fig. 6A; col. 3, line 16-col. 4, line 60; col. 9, lines 62-67; col. 12, lines 16-18). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the above references with the teaching of Kolev for the advantage of providing mobile subscribers with the emergency 911 service (see col. 3, lines 16-38).

# Page 10

# As per claim 23: the method wherein:

the prevention of the normal operation of the mobile radiotelephony device prevents all transmission of outgoing calls '283 (see abstract; col. 3, line 16-col. 4, line 35).

# **Double Patenting**

Claims 11-30 are rejected under the judicially created doctrine of obviousnesstype double patenting as being unpatentable over claims 1-7 of U.S. Patent No. US 6,370,400 B1, in view of Gran et al., (US 6,095,416). The difference between the claims and the cited US patent is that the feature directed to the "deblocking means for permitting the normal operation of the mobile radiotelephony device in response to supplying of a deblocking/debugging code to the mobile radiotelephony device subsequent to the mounting of the linked user identification module inside the mobile radiotelephony device and subsequent to the defined period of time", recited in the claims. This feature is addressed by Grant's reference the subject matter of which is "method and device for preventing unauthorized use of credit cards". The subject matter of Grant's reference is in the same field of endeavor as the claims which is "antitheft protection a radiotelephony device". Grant teaches that "once the correct PIN code is entered, the card is activated for a predetermined limited time. After the predetermined time, the card returns to the disable state so that it cannot be used for a fraudulent transaction." (see col. 3, lines 59-67). In the end, the difference feature in the

Page 11

current claims, which can be summarized as enabling a disabled device using a code, has sufficiently been taught by Grant et al.

# Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Page 12

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) 306-0377.

Meless Zewdu TT . 2.

Examiner

16 February 2004.

WILLIAM TROST SUPERVISOPY PATENT EXAMINER TECHNOLOGY CENTER 2600

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Notice of References Cited

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# CARDINAL LAW GROUP

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1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 – 905 – 7111 Facsimile 847 – 905 – 7113

# CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

Date: MAY 20, 2004

To:EXAMINER MELESS ZEWDUU.S. PATENT AND TRADEMARK OFFICEFax #:(703) 872-9315

From: FRANK C. NICHOLAS Phone #: (847) 424.2521

18

Client/Matter No.: PHF 99,624 (7790/310)

# of Pages: (including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL <u>847/905-7111, Ext. 112</u> AND ASK FOR JENNIFER CRUZ.

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) Docket Number PHF 99,624 (7790/310)						
	In re Application of	PHILIPPE DEC	OTIGNIE			
	Application Number:	09/739,507	Filed:	DECEMBER 18, 2000		
	For ANTI-THEFT	PROTECTION FO	RARAL	DIOTELEPHONY DEVICE		
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PATENT Case No. PHF 99,624 (7790/310)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re patent application of:

PHILIPPE DECOTIGNIE

09/739,507 Serial No.:

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NICHOLAS (33.983)

May 20, 2004 Date of Signature

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Filed: **DECEMBER 18, 2000** 

ANTI-THEFT PROTECTION FOR ) For: A RADIOTELEPHONY DEVICE )

Examiner: ZEWDU, MELESS Group Art Unit: 2683

# **RESPONSE TO FINAL OFFICE ACTION DATED FEBRUARY 19, 2004**

Mail Stop RCE Commissioner for Patents PO. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to a Final Office action of February 18, 2004, please amend the above referenced application as follows and reconsider the application in light of the following remarks.

PAGE 4/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 2 of 14

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## CLAIM AMENDMENTS:

A listing of the entire set of claims 1-30 (including amendments to claims 11, 18, 21, 28 and 29) is submitted herewith per 37 CFR §1.121. This listing of claims 1-30 will replace all prior versions, and listings, of claims in the application.

1.-10. (Cancelled)

(Currently Amended) A mobile radiotelephony device, comprising: blocking means for preventing a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of outgoing calls;

timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device; and

deblocking means for permitting the normal operation of the mobile radiotelephony device in response to a supply of a debugging deblocking code to the mobile radiotelephony device subsequent to the mounting of the linked user identification module inside the mobile radiotelephony device and subsequent to the defined period of time.

J (Previously Presented) The mobile radiotelephony device of claim  $N_{\rm e}$ 12 wherein an activation of the blocking means prevents all transmission of outgoing calls.

9, (Previously Presented) The mobile radiotelephony device of claim N, **Z**. wherein an activation of the blocking means prevents all transmissions of nonemergency outgoing calls and permits all transmissions of emergency outgoing calls.

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May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 3 of 14

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(Previously Presented) The mobile radiotelephony device of claim  $N_{i}$ , further comprising:

locking means for facilitating an activation of the block means by the timing means.

Ś 15. (Previously Presented) The mobile radiotelephony device of claim  $\mathcal{N}$ , further comprising:

connecting means for establishing a link between the mobile radiotelephony device and the linked user identification module.

6 (Previously Presented) The mobile radiotelephony device of claim )5, further ÌĘ. comprising:

locking means for facilitating an establishment of the link between the mobile radiotelephony device and the linked user identification module by the connection means.

1 *ک*ړ. (Previously Presented) The mobile radiotelephony device of claim N. wherein an international identification number stored on the linked user identification module is stored on the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked user identification module.

4 (Currently Amended) The mobile radiotelephony device of claim N, wherein 18 a personal identification number stored on the linked user identification module is stored as the debugging deblocking code on the mobile radiotelephony device. Ч

(Previously Presented) The mobile radiotelephony device of claim'Ll, further <u>b</u> comprising:

test means for activating the blocking means when any unlinked user identification module is mounted inside the mobile radiotelephony device.

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#### T-237 P.07/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 4 of 14

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2Q. (Previously Presented) A method of protecting a mobile radiotelephony device, the method comprising:

verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device;

detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls;

preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device.

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N. (Currently Amended) The method of claim 20, further comprising: ે્રા.

permitting the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to a supply of a debugging deblocking code to the mobile radiotelephony device subsequent to the detection of the period of inactivity of the mobile radiotelephony device.

10 12 22. (Previously Presented) The method of claim 20, wherein the prevention of the normal operation of the mobile radiotelephony device prevents all transmissions of outgoing calls.

10 **3**8 (Previously Presented) The method of claim 20, wherein the prevention of the normal operation of the mobile radiotelephony device prevents all transmissions of non-emergency outgoing calls and permits all transmissions of emergency outgoing calls.

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May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 5 of 14

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24. (Previously Presented) The method claim 20, further comprising:

storing an international identification number stored on the linked user identification module onto the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked user identification module.

15 35. (Previously Presented) The method claim 24, further comprising:

storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as the debugging code.  $||_0$ 

(Previously Presented) The method of claim 20, further comprising:

preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device.

27. (Previously Presented) In a mobile radiotelephony device, a computer readable medium comprising:

computer readable code for verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device;

computer readable code for detecting a period of mactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls;

computer readable code for preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device.

PAGE 8/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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T-237 P.09/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 6 of 14

18 28. (Currently Amended) The computer readable medium of claim 27, further comprising.

computer readable code for permitting the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to a supply of a <del>debugging</del> <u>deblocking</u> code to the mobile radiotelephony device subsequent to the detection of the period of inactivity of the mobile radiotelephony device.

4 29. (Currently Amended) The computer readable medium of claim 28, further comprising:

storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as the debugging deblocking code. 100

30. (Previously Presented) The computer readable medium of claim 27, further comprising:

preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device.

PAGE 9/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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T-237 P.10/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 7 of 14

### **REMARKS/DISCUSSION OF ISSUES**

In the Final Office Action, Examiner Zewdu rejected pending claims 11-30 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.114:

A Examiner Zewdu rejected claims 11, 18, 21, 28 and 29 under 35 U.S.C. §112, ¶1 for failing to comply with the written description requirement

The Applicant has amended claims 11, 18, 21, 28 and 29 herein to correctly recite "deblocking code" Withdrawal of the rejection of claims 11, 18, 21, 28 and 29 under 35 U.S.C. §112, ¶1 for failing to comply with the written description is therefore respectfully requested.

 Examiner Zewdu rejected claims 11 and 13-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,913,175 to *Pinault* in view of U.S. Patent No. 6,095,416 to *Grant* et al.

The Applicant has thoroughly considered Examiner Zewdu's remarks concerning the patentability of claims 11 and 13-30 over *Pinault* in view of *Grant*. The Applicant has also thoroughly read *Pinault* and *Grant*. To warrant this 35 U.S.C. §103(a) rejection of claims 11 and 13-30, all the claim limitations recited in independent claims 11, 20 and 27 must be taught or suggested by the combination of *Pinault* and *Grant*. See, MPEP §2143. The Applicant respectfully traverses this

PAGE 10/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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T-237 P.11/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Senal No.: 09/739,507 Filed: December 18, 2000 Page 8 of 14

\$103(a) rejection of claims 11-30, because *Pinault* and *Grant* in combination fails to disclose, teach or suggest the following limitations of independent claims 11, 20 and 27:

1. "Timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device" as recited in independent claim 11;

2. "preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 20; and

3. "<u>computer code for preventing the normal operation of the</u> mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 27.

As to the traversal, Examiner Zewdu has correctly recognized *Pinault's* failure to disclose, teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. A proper reading of *Grant* reveals that *Grant* also fails to teach or suggest the aforementioned limitations of independent claims 11, 20 and 27.

PAGE 11/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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#### T-237 P.12/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 9 of 14

Specifically, Grant discloses authorization cards having a default disabled state and an enabled state, where the cards revert from the enabled state to a default disabled state after a predetermined period of time. See, Grant at column 3, lipes 54-66. In a first embodiment as illustrated in FIGS. 4(a) and 4(b) of Grant, a removal of pressure from a polymer 36 allows polymer 36 to return to its original shape that corresponds to the default disabled state. See, Grant at column 6, lines 11-19. Grant clearly fails to teach or suggest a returning of polymer 36 to its original shape as being a function of an inactivity of a device.

In a second embodiment as illustrated in FIG. 7(c) of *Grant*, a sufficient charge bleed off a capacitor 106 reverts the card to the default disabled state. <u>See</u>, *Grant* at column 10, lines 43-48. *Grant* clearly fails to teach or suggest bleeding of capacitor 106 as being a function of an inactivity of a device.

In a third embodiment as illustrated in FIG. 9(c) of *Grant*, a removal of pressure from a membrane 214 allows membrane 214 to return to its original shape that corresponds to the default disabled state. <u>See</u>, *Grant* at column 11, lines 28-40. *Grant* clearly fails to teach or suggest a returning of membrane 214 to its original shape as being a function of an inactivity of a device.

The following working example of *Grant* clarifies the failure of *Grant* to teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. In this example, the authorization card of *Grant* is a credit card mounted within a credit card reader. In accordance with the teachings of Grant, an entering of a correct PIN number on the credit card via the reader enables the reader to perform credit operations based on the confidential information of the credit card of *Grant*, which reverts to a disabled state after a predetermined period of time after the entering of the correct PIN. This predetermined period of time is clearly not dependent upon an active state or inactive state of the credit card reader as required by independent claims 11, 20 and 27 of the present invention. Specifically, a user of the credit card reader can be actively using the confidential information of the enabled credit card to make a purchase, yet the predetermined time period is not delayed, frozen or

PAGE 12/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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#### T-237 P.13/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 10 of 14

otherwise affected by this type of activity. Conversely, a user of the credit card reader can be indecisive as to whether or not to use the confidential information of the enabled credit card to make a purchase whereby the credit card reader is mactive, yet the predetermined time period is not delayed, frozen or otherwise affected by this type of inactivity.

Thus, the combination of *Pinault* and *Grant* does not teach or suggest the aforementioned limitations of independent claims 11, 20 and 27.

Moreover, the Applicant respectfully asserts that *Pinault* teaches away from the combination of *Pinault* and *Grant* as asserted by Examiner Zewdu, because *Pinault* teaches its objective is to provide a method that does not require users to enter their PIN code each time they insert their user card into the terminal and the terminal/user card link of *Pinault* is dependent, firstly, on first data stored on the linked user card and, secondly, on a calculation function specific to the terminal. See, Pinault at column 3, line 12 to column 6, line 67. Thus, to modify *Pinault* to force a user to enter a PIN each time the user wanted to use the card and to make time a factor in an otherwise time insensitive scheme would improperly change the principle operation of *Pinault*.

Withdrawal of the rejection of independent claims 11, 20 and 27 under §103(a) as being unpatentable over *Pinault* in view of *Grant* is therefore respectfully requested.

Claims 13-19 depend from independent claim 11. Therefore, dependent claims 13-19 include all of the elements and limitations of independent claim 11. It is therefore respectfully submitted by the Applicant that dependent claims 13-19 are allowable over *Pinault* in view of *Grant* for at least the same reason as set forth with respect to independent claim 11 being allowable over *Pinault* in view of *Grant*. Withdrawal of the rejection of dependent claims 13-19 under U.S.C. §103(a) as being patentable over *Pinault* in view of *Grant* is therefore respectfully requested.

PAGE 13/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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T-237 P.14/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 11 of 14

Claims 21-26 depend from independent claim 20. Therefore, dependent claims 21-26 include all of the elements and limitations of independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21-26 are allowable over *Pinault* in view of *Grant* for at least the same reason as set forth with respect to independent claim 20 being allowable over *Pinault* in view of *Grant*. Withdrawal of the rejection of dependent claims 21-26 under U.S.C. §103(a) as being patentable over *Pinault* in view of *Grant* is therefore respectfully requested.

Claims 28-30 depend from independent claim 27. Therefore, dependent claims 28-30 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-30 are allowable over *Pinault* in view of *Grant* for at least the same reason as set forth with respect to independent claim 27 being allowable over *Pinault* in view of *Grant*. Withdrawal of the rejection of dependent claims 28-30 under U.S.C. §103(a) as being patentable over *Pinault* in view of *Grant* is therefore respectfully requested.

C. Examiner Zewdu rejected claims 11-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 6,370,400 B1 to *Decougnie* in view of U.S. Patent No. 6,095,416 to *Grant* et al.

The Applicant has thoroughly considered Examiner Zewdu's remarks concerning the patentability of claims 11-30 over *Decotignie* in view of *Grant*. The Applicant has also thoroughly read *Decotignie* and *Grant*. To warrant this obviousness-type double patenting rejection of claims 11-30, all the claim limitations recited in independent claims 11, 20 and 27 must be taught or suggested by the combination of *Decotignie* and *Grant*. See, MPEP §2143. The Applicant respectfully

PAGE 14/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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#### T-237 P.15/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 12 of 14

traverses this obviousness-type double patenting rejection of claims 11, 12, 14-22 and 24-30, because *Decougnie* and *Grant* in combination fails to disclose, teach or suggest the following limitations of independent claims 11, 20 and 27:

1. "timing means for activating the blocking means in response to the mobile radiotelephony device being mactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device" as recited in independent claim 11;

2. "preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 20; and

3. "computer code for preventing the normal operation of the mobile radiotelephony device in response to the vertification of the linked user identification module and in response to the detection of the period of mactivity of the mobile radiotelephony device" as recited in independent claim 27.

As to the traversal, Examiner Zewdu has correctly recognized *Decotignie*'s failure to disclose, teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. And, as previously set forth herein, a proper reading of *Grant* reveals that *Grant* also fails to teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. Thus, the combination of *Decotignie* and *Grant* does not teach or suggest the aforementioned limitations of independent claims 11, 20 and 27.

PAGE 15/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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### T-237 P.16/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 13 of 14

Withdrawal of the rejection of independent claims 11, 20 and 27 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over *Decotignie* in view of *Grant* is therefore respectfully requested

Claims 12-19 depend from independent claim 11. Therefore, dependent claims 12-19 include all of the elements and limitations of independent claim 11. It is therefore respectfully submitted by the Applicant that dependent claims 12-19 are allowable over *Decotignie* in view of *Grant* for at least the same reason as set forth with respect to independent claim 11 being allowable over *Decotignie* in view of *Grant*. Withdrawal of the rejection of dependent claims 12-19 under the judicially created doctrine of obviousness-type double patenting as being patentable over *Decotignie* in view of *Grant* is therefore respectfully requested.

Claims 21-26 depend from independent claim 20. Therefore, dependent claims 21-26 include all of the elements and limitations of independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21-26 are allowable over *Decotignie* in view of *Grant* for at least the same reason as set forth with respect to independent claim 20 being allowable over *Decotignie* in view of *Grant*. Withdrawal of the rejection of dependent claims 21-26 under the judicially created doctrine of obviousness-type double patenting as being patentable over *Decotignie* in view of *Grant* is therefore respectfully requested.

Claims 28-30 depend from independent claim 27. Therefore, dependent claims 28-30 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-30 are allowable over *Decotignie* in view of *Grant* for at least the same reason as set forth with respect to independent claim 27 being allowable over *Decotignie* in view of *Grant*. Withdrawal of the rejection of dependent claims 28-30 under the judicially created doctrine of obviousness-type double patenting as being patentable over *Decotignie* in view of *Grant* is therefore respectfully requested.

PAGE 16/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):05-04

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T-237 P.17/18 F-699

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 14 of 14

### <u>SUMMARY</u>

Examiner Zewdu's written description rejection of claims 11, 18, 21, 28 and 29 has been obviated by the amendment herein of claims 11, 18, 21, 28 and 29. Examiner Zewdu's obviousness rejection of claims 11-30 have been obviated the remarks herein supporting an allowance of claims 11-30 over the art of record. The Applicant respectfully submits that claims 11-30 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Zewdu is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: May 20, 2004

Respectfully submitted, PHILIPPE DECOTIGNIE

PHILIPS INTELLECTUAL PROPERTY & STANDARDS P O Box 3001 Briarcliff, New York 10510 (914) 333-9606

CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, Illinois 60201 Phone: (847) 905-7111 Fax: (847) 905-7113 Jack D. Slobod Registration No. 26,236 Attorney for Applicant

Frank C. Nicholas Registration No. 33,983 Attorney for Applicant

PAGE 17/18 \* RCVD AT 5/20/2004 5:06:55 PM [Eastern Daylight Time] \* SVR: USP TO-EFXRF-1/3 \* DNIS: 8729315 \* CSID: \* DURATION (mm-ss): 05-04

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# CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 – 905 - 7111

Facsimile 847-905-7113

## CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

Date:

MAY 20, 2004

To: EXAMINER MELESS ZEWDU U.S. PATENT AND TRADEMARK OFFICE Fax #: (703) 872-9315

 From:
 FRANK C. NICHOLAS

 Phone #:
 (847) 424.2521

Client/Matter No.: PHF 99,624 (7790/310)

# of Pages: 18 (including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL <u>847/905-7111, E-1, 112</u> AND ASK FOR JENNIEER CRUZ

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AS (33,983)

PRANK C NICHOU

Date: MAY 20, 2004

Signature

·	Application No.	Applicant(s)
	09/739,507	DECOTIGNIE, PHILIPPE
Advisory Action	Examiner	Art Unit
	Meless N Zewdu	2683
The MAILING DATE of this communication appe		
THE REPLY FILED 21 May 2004 FAILS TO PLACE THI Therefore, further action by the applicant is required to av final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114.	S APPLICATION IN CONDITIO void abandonment of this application of the second se	N FOR ALLOWANCE. ation. A proper reply to a h places the application in
PERIOD FOR RE	PLY [check either a) or b)]	
<ul> <li>a) The period for reply expires <u>4</u> months from the mailing date</li> <li>b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).</li> <li>Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Office timely filed, may reduce any earned patent term adjustment. See 37 CFR</li> </ul>	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin FILED WITHIN TWO MONTHS OF TI date on which the petition under 37 CP of extension and the corresponding amo the shortened statutory period for reply ce later than three months after the mai	ng date of the final rejection. HE FINAL REJECTION. See MPEP R 1.136(a) and the appropriate extension pount of the fee. The appropriate extension originally set in the final Office action; or
<ol> <li>A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF</li> </ol>		
2. The proposed amendment(s) will not be entered be	ecause:	
(a) 🔲 they raise new issues that would require furthe	er consideration and/or search (	see NOTE below);
(b) 🔲 they raise the issue of new matter (see Note b	elow);	
(c) they are not deemed to place the application in issues for appeal; and/or	n better form for appeal by mate	rially reducing or simplifying the
(d) they present additional claims without canceli NOTE:	ng a corresponding number of f	inally rejected claims.
3. Applicant's reply has overcome the following reject		
<ol> <li>Newly proposed or amended claim(s) would canceling the non-allowable claim(s).</li> </ol>	be allowable if submitted in a se	eparate, timely filed amendment
5. The a) affidavit, b) exhibit, or c) request for application in condition for allowance because: <u>Se</u>		idered but does NOT place the
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY	to issues which were newly
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we		
The status of the claim(s) is (or will be) as follows:		
Claim(s) allowed:		
Claim(s) objected to:		
Claim(s) rejected: <u>11-30</u> .		
Claim(s) withdrawn from consideration:		
8. The drawing correction filed on is a) app	roved or b) disapproved by t	he Examiner.
9. Note the attached Information Disclosure Statemer	nt(s)( PTO-1449) Paper No(s)	·
10. Other:		
U.S. Patent and Trademark Office PTOL-303 (Rev. 11-03) Advis	ory Action	Part of Paper No. 13

### Continuation Sheet (PTOL-303)

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Application No. 09/739,507

Continuation of 5. does NOT place the application in condition for allowance because: timing means for activating block/unblock modes, code for blocking/deblocking are taught or suggested by the references discussed in the final rejection.

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## DETAILED ACTION

### **Courtesy Explanation to Applicant's Arguments**

- 1. This action in response to the communication filed on 5/21/04.
- 2. Claims 11-30 are pending.
- 3. This action is an advisory action.

### **Response to Applicant's Remarks/Arguments**

### Part I – Obviousness rejection

**Arguments:** with regard to claims 11 and 13-30, applicant argues by saying that Pinault (US 5,913,175) in view of Grant et al. (6,095,416) do not teach of fairly suggest the "timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device", see **remarks/discussion of issues** (No. 1). The issues at numbers 2 and number 3 are respectively, method claim and computer code, versions of the issue raised in number 1. So, addressing the issue of number 1 will obviously include the issues of numbers 2 and 3.

**Response:** regarding applicant's argument above, examiner respectfully disagrees with applicant's assertion. First, Pinault's teaching is within the same field of endeavor as the claims. It is directed to "Method of Making the Use of a Terminal of a Cellular mobile Radio System More Secure, and Corresponding Terminal and User Card" (see for instance, the title). Here, the card is similar to applicant's mountable user identification

module. On (col. 9, lines 52-63), the reference discloses that the system includes predetermined blocking/unblocking code to change the terminal to from a normal mode to blocked mode or vice versa, wherein the code is entered by the user. The difference between Pinault's reference and the claims is the timing means. Although it is suggested that timing is involved, it is not clearly defined as in the claims (see for instance, col. 10, lines 39-61). For this reason Grant ('416) was added to Pinault. Grant teaches about "Method and Device for Preventing Unauthorized Use of Credit Card" wherein the card includes a PIN code and once the code is entered, the card is activated only for a predetermined period of time, after which it becomes disabled, see '416 (col. 3, lines 59-67). Both Pinault and Grant are within same field and their respective teachings are readily combinable. So, applicant's argument is not persuasive.

## Part II --- Double Patenting rejection

**Argument:** applicant further argues against examiner's double patenting rejection based on U.S. Patent No. US 6,370,400 B1), by asserting "To warrant this obviousnesstype double patenting rejection of claims 11-30, all the claim limitations recited in independent claims 11, 20 and 27 must be taught or suggested by the combination of Decotignie and Grant.

**Response:** examiner agrees about the stated criteria. But, beliefs that the combination of the two references (Decotignie and Grant) teach or suggest all the limitations of the independent claims, as discussed in the final rejection. In fact, the US reference '400 discloses timing means for activating blocking/unblocking functions for a radiotelephone

Page 4

(see claims 1 and 6). The missing element/feature is blocking/unblocking code, which is taught by Grant. So, the argument too is not persuasive.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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).

Meless Zewdu

WILLIAM TROST SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600

Examiner 04 June 2004.

			UNITED STATES DEPART United States Patent and T Address: COMMISSIONER FC P.O. Box 1450 Alexandra, Virginia 2231 www.uspto.gov	rademark Office OR PATENTS
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/739,507	12/18/2000	Philippe Decotignie	PHF 99,624	3125
24737 759	0 06/09/2004		EXAMI	NER
	ELLECTUAL PROPER	TY & STANDARDS	ZEWDU, ME	LESS NMN
P.O. BOX 3001 BRIARCLIFF N	ANOR, NY 10510		ART UNIT	PAPER NUMBER
			2683 DATE MAILED: 06/09/2004	13

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

PTO-90C (Rev. 10/03)

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57

	Application No.	Applicant(s)
	09/739,507	DECOTIGNIE, PHILIPPE
Notice of Allowability	Examiner	Art Unit
	Meless N Zewdu	2683
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.31	6 (OR REMAINS) CLOSED in th ) or other appropriate communi RIGHTS. This application is sub	nis application. If not included ication will be mailed in due course. THIS
1. $\boxtimes$ This communication is responsive to <u>5/20/04</u> .		
2. $\square$ The allowed claim(s) is/are <u>11-30</u> .		
3.  The drawings filed on are accepted by the Examine	er.	
<ul> <li>4. Acknowledgment is made of a claim for foreign priority u</li> <li>a) All</li> <li>b) Some*</li> <li>c) None</li> <li>of the:</li> <li>1. Certified copies of the priority documents hav</li> <li>2. Certified copies of the priority documents hav</li> <li>3. Copies of the certified copies of the priority documents hav</li> <li>international Bureau (PCT Rule 17.2(a)).</li> <li>* Certified copies not received:</li> </ul>	e been received. e been received in Application	No
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDON! THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		reply complying with the requirements
5. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give		
6. 🖾 CORRECTED DRAWINGS ( as "replacement sheets") mu	ist be submitted.	
(a) including changes required by the Notice of Draftsper		PTO-948) attached
1) 🛛 hereto or 2) 🔲 to Paper No./Mail Date		
(b) including changes required by the attached Examiner Paper No./Mail Date <u>7</u> .	's Amendment / Comment or in	n the Office action of
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in		
<ol> <li>DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT</li> </ol>	Disit of BIOLOGICAL MATER FOR THE DEPOSIT OF BIOL	RIAL must be submitted. Note the OGICAL MATERIAL.
<ul> <li>Attachment(s)</li> <li>1. □ Notice of References Cited (PTO-892)</li> <li>2. ⊠ Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>3. □ Information Disclosure Statements (PTO-1449 or PTO/SB/ Paper No./Mail Date</li></ul>	6. ☐ Interview Sum Paper No./M /08), 7. ☐ Examiner's An	rmal Patent Application (PTO-152) nmary (PTO-413), ail Date mendment/Comment tatement of Reasons for Allowance
U.S. Patent and Trademark Office PTOL-37 (Rev. 1-04)	lotice of Allowability	Part of Paper No./Mail Date /Ĺ

## DETAILED ACTION

## Response to Amendment (B)

1. This action is in response to the communication filed on 5/20/04.

2. Claims 1-10 have been canceled in a previous amendment (see paper No. 9).

3. Claims 11-30 are pending in this action.

4. Claims 11-30 have been renumbered as claims 1-20 respectively

5. The rejection provided under –35 USC 112, first paragraph has been withdrawn following applicant's amendment of the claims.

6. Applicant's argument against the "double patenting" rejection based on the (US

6,370,400 B1) in view of (US 6,095,416) was found persuasive and hence, the rejection has been withdrawn.

7. Applicant's amendment of the claims to overcome the rejection provided under 35 USC 112, first paragraph and persuasive argument against the prior art rejection has put the claims in an allowable condition.

8. The renumbered claims 11-30 are allowed.

## Allowable Subject Matter

Claims 11-30 are allowed.

The following is an examiner's statement of reasons for allowance:

Page 127 of 175

Page 127 of 175

As per claims 11-30: the claims are directed to a security measure or protection against an unauthorized use a mobile radiotelephone. The prior art of record does not teach or fairly suggest the techniques of blocking and de-blocking a radiotelephone, as claimed in claims 11, 20 and 27, and further argued by applicant.

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 Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Page 128 of 175

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).

Meless Zewdu Mr. 2.

Examiner 16 July 2004

WILLIAM TROST SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600

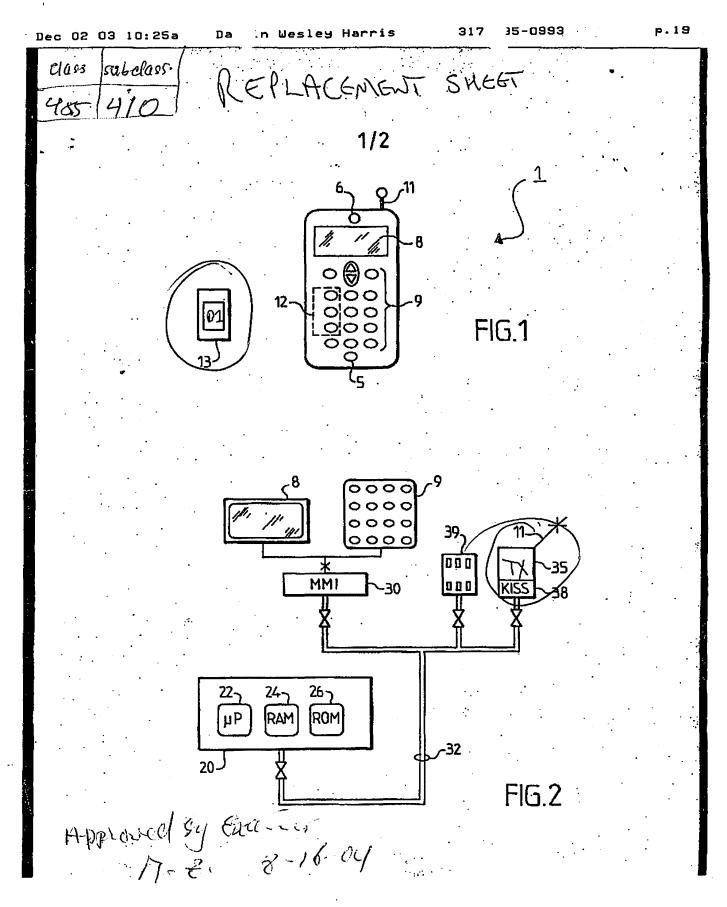
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		Notice of Reference	s Cited		Examiner Art Unit				
		,			Meless N Zewdu 2683			Page 1 of 1	
				U.S. P	ATENT DOCUMENT	S			
*		Document Number Country Code-Number-Kind Code	Date MM-YYYY			Name		Classification	
*	A	US-6,542,731 B1	04-2003	Alos, F	Rafael			455/411	
*	в	US-4,908,848	03-1990	Hanaw	a, Tetsuya			455/565	
*	с	US-4,945,556	07-1990	Namel	kawa, Makoto	<u></u>	· · · · · · · · · · · · · · · · · · ·	455/565	
*	D	US-5,864,765	01-1999	Barves	iten, Mats O.			455/565	
*	E	US-5,978,670	11-1999	Casoli	et al.			455/411	
*	F	US-6,370,400 B1	04-2002	Decoti	gnie et al.			455/565	
*	G	US-6,339,643 B1	01-2002	Mastro	cola et al.			379/433.06	
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U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 14

NOTICE OF DRAFTSPERSON'S	SPATENT DRAWING REVIEW
The drawing(s) filed (insert date) 12/2/03	are:
A approved by the Draftsperson under 37 CFR 1.84 of	
B: objected to by the Draftsperson under 37 CFR 1.84	or 1.152 for the reasons indicated below. Corrected
drawings are required.	
I. DRAWINGS. 37 CFR 1.84(a): Acceptable	8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(
categories of drawings: Black ink or	Words do not appear on a horizontal, left-to-ri
Color (3 sets required).	fashion when page is either upright or turned
Color drawings are not acceptable until petition is	that the top becomes the right side, except for
granted. Fig(s)	graphs. Fig(s)
Pencil and non black ink not permitted. Fig(s)	9. SCALE. 37 CFR 1.84(k)
2. PHOTOGRAPHS. 37 CFR 1.84(b)	Scale not large enough to show mechanism
One (1) full-tone set is required. Fig(s)	without crowding when drawing is reduced in
Photographs may not be mounted. 37 CFR 1.84(e)	size to two-thirds in reproduction.
Photographs must meet paper size requirements of	Fig(s)
37 CFR 1.84(f). Fig(s)	10. CHARACTER OF LINES, NUMBERS, &
Poor quality (half-tone). Fig(s)	LETTERS. 37 CFR 1.84(1)
3. TYPE OF PAPER. 37 CFR 1.84(c)	Lines, numbers & letters not uniformly thick a
Paper not flexible, strong, white, and durable.	well defined, clean, durable, and black (poor I
Fig(s) Erasures, alterations, overwritings. interlineations,	quality). Fig(s)
folds, copy machine-marks not accepted.	Solid black areas pale. Fig(s)
Fig(s)	Solid black shading not permitted. Fig(s)
4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable	12. NUMBERS, LETTERS, & REFERENCE
sizes:	CHARACTERS. 37 CFR 1.84(p)
21.0 cm by 29.7 cm (DIN size A4) or	Numbers and reference characters not plain and
21.6 cm by 27.9 cm (8 1/2x 11 inches)	legible. Fig(s)
All drawing sheets not the same size.	Figure legends are poor. Fig(s)
Shcet(s)	Numbers and reference characters not oriented
Drawings sheets not an acceptable size. Fig(s)	the same direction as the view. 37 CFR 1.84()
5. MARGINS. 37 CFR 1.84(g): Acceptable margins:	Fig(s)
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm Margins not acceptable. Fig(s)	English alphabet not used. 37 CFR 1.84(p)(2) Fig(s)
Top (T) Left (L)	Numbers, letters and reference characters must
Right (R) Bottom (B)	at least 32 cm (1/8 inch) in height. 37 CFR
6. VIEWS. 37 CFR 1.84(h)	1.84(p)(3). Fig(s)
REMINDER: Specification may require revision to	13. LEAD LINES. 37 CFR 1.84(q)
correspond to drawing changes, e.g., if Fig. 1 is	Lead lines missing. Fig(s)
changed to Fig. 1A, Fig IB and Fig. 1C, etc., the	14. NUMBERING OF SHEETS OF DRAWING
specification, at the Brief Description of the Drawings,	37 CFR 1.84(t)
must likewise be changed.	Sheets not numbered consecutively, and in Ara
Views not labeled separately or properly.	numbers beginning with number 1. Sheet(s)
Fig(s)	15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)	Views not numbered consecutively, and in Ara numerals, beginning with number 1. Fig(s)
Sectional designation should be noted with	I6. DESIGN DRAWINGS. 37 CFR 1.152
Arabic or Roman numbers. Fig(s)	Surface shading shown not appropriate.
	Fig(s)
	Solid black surface shading is not permitted ex
	when used to represent the color black as well
	color contrast. Fig(s)
COMMENTS:	
	RIANI
Reviewer	Date
If you have questions, call (703) 305-8404.	Attachment to Paper No. 114



-PAGE 19/19 \* RCVD AT 12/2/2003 10:20:08 AM [Eastern Standard Time] \* 8VR:UBPTO-EFXRF-1/2 \* DNI8:8729314 \* C8ID:317 595 0993 \* DURATION (mm-ss):07-42

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UNITED STATES PATENT AND TRADEMARK OFFICE

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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

## NOTICE OF ALLOWANCE AND FEE(S) DUE

24737 7590 08/24/2004 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 **BRIARCLIFF MANOR, NY 10510** 

EXAMINER ZEWDU, MELESS NMN ART UNIT PAPER NUMBER 2683	
ZEWDU, MEL	ESS NMN
ART UNIT	PAPER NUMBER
2683	àЦ
DATE MAILED: 08/24/2004	.( <b>7</b> )

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,507	12/18/2000	Philippe Decotignic	PHF 99,624	3125
TITLE OF INVENTION: AN	TUTUET BOATCATION			

TITLE OF INVENTION: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	S1330	\$300	\$1630	11/24/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. 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 <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED</u>. 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:	If the SMALL ENTITY is shown as NO:
A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.	A. Pay TOTAL FEE(S) DUE shown above, or
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or	B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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 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.

Page 1 of 4

PTOL-85 (Rev. 08/04) Approved for use through 04/30/2007.

## ART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

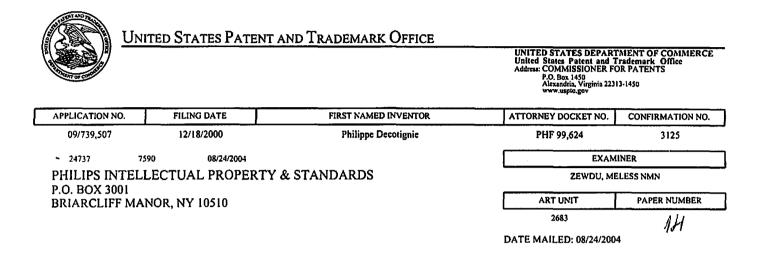
Mail Stop ISSUE FEL Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 (703) 746-4000

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			or <u>Fax</u>	(703) 746-4000	0	
INSTRUCTIONS: This for appropriate. All further co- indicated unless corrected maintenance fee notification	rm should be used for tran rrespondence including the l below or directed otherwise ns.	smitting the ISSUE Patent, advance order in Block 1, by (a) s	FEE and PUBLIC rs and notification pecifying a new o	CATION FEE (if req of maintenance fees orrespondence address	uired). Blocks 1 through 5 sh will be mailed to the current s; and/or (b) indicating a sepa	correspondence address as rate "FEE ADDRESS" for
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24737 7590 08/24/2004				papers. Each addition have its own certification	nal paper, such as an assignme ite of mailing or transmission.	nt or formal drawing, must
PHILIPS INTEL P.O. BOX 3001 BRIARCLIFF MA	LECTUAL PROPER NOR, NY 10510	TY & STAND	ARDS	C	ertificate of Mailing or Trans this Fec(s) Transmittal is being with sufficient postage for fin ail Stop ISSUE FEE address PTO (703) 746-4000, on the d	mission
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APPLICATION NO.	FILING DATE	FIR	ST NAMED INVE	TOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,507	12/18/2000		Philippe Decotigr	ie	PHF 99,624	3125
<u></u>	NTI-THEFT PROTECTION					
APPLN. TYPE	SMALL ENTITY	ISSUE FEE	P	JBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330		\$300	\$1630	11/24/2004
EXAM	IINER	ART UNIT	С	ASS-SUBCLASS	]	
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"Fcc Address" indical PTO/SB/47; Rev 03-02 Number is required.	Icnce address (or Change of ( 22) attached. Lion (or "Fee Address" Indica or more recent) attached. Use RESIDENCE DATA TO B	Correspondence tion form e of a Customer	or agents OR, alte (2) the name of a registered attorne 2 registered paten listed, no name wi	single firm (having as y or agent) and the nau t attomeys or agents. I ll be printed.	a member a 2	
(A) NAME OF ASSIGN		(B) R	ESIDENCE: (CIT	Y and STATE OR CO	nee is identified below, the do DUNTRY) Corporation or other private gro	
4a. The following fee(s) are			ayment of Fee(s):			
_	mall entity discount permitte Copies	d) (	Payment by cred The Director is	nount of the fee(s) is e it card. Form PTO-203 hereby authorized by mber		credit any overpayment, to opy of this form).
a. Applicant claims S	(from status indicated above MALL ENTITY status. See 2	37 CFR 1.27.			ALL ENTITY status. See 37 C	- 107 (-7
The Director of the USPTO NOTE: The Issue Fee and P interest as shown by the rect	is requested to apply the Issu ublication Fee (if required) words of the United States Pate	e Fee and Publication vill not be accepted fr ent and Trademark Of	n Fee (if any) or to om anyone other t Tice.	re-apply any previous han the applicant; a rep	sly paid issue fee to the applica gistered attorney or agent; or the	tion identified above. the assignce or other party in
Authorized Signature	····			Date		
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Alexandria, virginia 22515-	1450.				the public which is to file (and minutes to complete, includin comments on the amount of the d Trademark Office, U.S. Dep- SS. SEND TO: Commissioner t displays a valid OMB control	

PTOL-85 (Rev. 08/04) Approved for use through 04/30/2007.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



## 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 550 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 550 day(s).

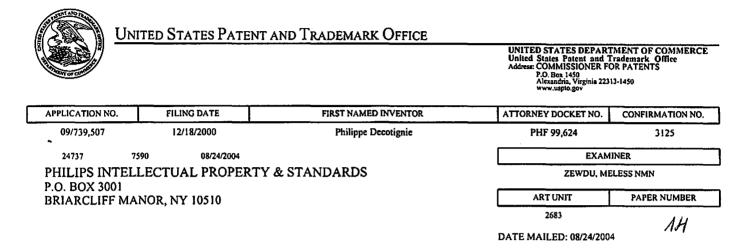
If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

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 (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Page 3 of 4

PTOL-85 (Rev. 08/04) Approved for use through 04/30/2007.



### Notice of Fee Increase on October 1, 2004

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because an increase in fees effective on October 1, 2004 is anticipated. See Revision of Patent Fees for Fiscal Year 2005; Proposed Rule, 69 Fed. Reg. 25861, 25863, 25864 (May 10, 2004).

The current fee schedule is accessible from WEB site (http://www.uspto.gov/main/howtofees.htm).

If the 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 of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), the issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedure (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is proposed to be amended by revising paragraphs (a) through (c) to read as set forth below. As stated above, the final fee may be a different amount, and applicant should check the WEB site given above when paying the fee.

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent,

except a design or plant patent:

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Page 4 of 4

PTOL-85 (Rev. 08/04) Approved for use through 04/30/2007.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re Application of Atty. Docket PHILIPPE DECOTIGNIE PHF 99,624

Serial No. 09/739,507 Filed: DECEMBER 18, 2000 Atty. Docket PHF 99,624 Date of Notice of Allowance: AUGUST 24, 2004 Confirmation No. 3125 Group Art Unit 2683 Examiner ZEWDU, M.N.

Title: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE Commissioner for Patents Alexandria, VA 22313-1450

### LETTER TO OFFICIAL DRAFTSMAN

Sir:

EJC

Enclosed are TWO sheets of formal drawing for filing in the above-identified application.

Respectfully submitted,

By 39,703 Dicran Halajian,

Attorney (914) 333-9607

### CERTIFICATE OF MAILING

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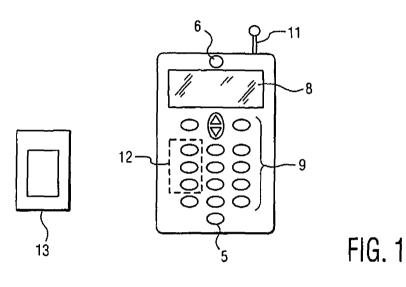
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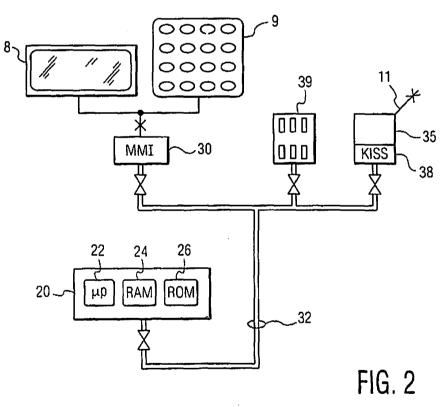


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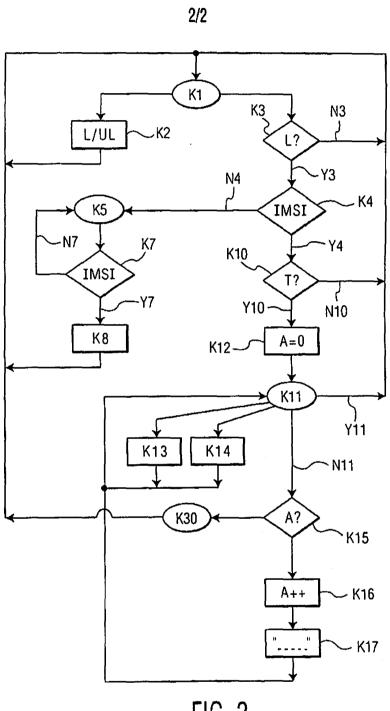


FIG. 3

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Telephone: +1-215-568-6400 Facsimile: +1-215-568-6499 www.volpe-koenig.com

mail@volpe-koenig.com

TO: MAIL STOP PETITION \_\_\_\_\_ FAX NO.: 571-273-8300

## FROM: Thomas A. Mattioli, Reg. No. 56,773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OF PETITIONS

Our File:

Date:

## In the **PATENT APPLICATION** of:

**Philippe Devotignie** 

Application No.: 09/739,507

Filed: December 18, 2000

Patent No. 6,836,654

Issued: December 28, 2004

**Confirmation No.: 3125** 

For: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE

2683 Group:

Examiner: Meless NMN Zewdu

\*PETITION T() ACCEPT UNINTENTIONALLY DELAYED COMMENTS: **PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT ATTACHED\*** 

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 6

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I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on June 8, 2009.

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June 8, 2009

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Patent No.	6,836,654	Application N	umber	607
Issue Date	12/28/04	Filing Date	12/18/00	
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(page 1 of 3)

This collection of information is required by 37 CFR 1.378(c). 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 1.11 and 1.14. This collection is estimated to take 1 hour 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 HIS ADDRESS. SEND TO: Mall Stop Pelition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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1. SMALL ENTITY					
Patentee claims, or has previously claimed, small	entity status. See 37	CFR 1.27.			
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	8. STA	TEMENT				
		The del	ay in payment of the maintenanc	ce fee to this patent was unintentional.		
	9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTIED AND THE PATENT REINSTATED June 8, 2009					
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			Thomas A. Mattioli	56,773		
1			Typed or printed name(s)	Registration Number, if applicable		
			215-568-6400			
			Telephone Number			
1			United Pl	laza, Suite 1600, 30 South 17th Street		
				Address		
				Philadelphia, PA 19103		
1	Address					
	37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."					
	ENCLOSURES					
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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.
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- 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.
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- 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 J.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.
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THOMAS MATTIOLI UNITED PLAZA, SUITE 1600 30 SOUTH 17<sup>TH</sup> STREET PHILADELPHIA, PA 19103

In re Patent No. 6,836,654 Issue Date: December 28, 2004 Application No. 09/739,507 Filed: December 18, 2000 For: ANTI-THEFT PROTECTION FOR A RADIOTELEPHONY DEVICE SEP 2 3 2009

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed June 8, 2009, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is GRANTED.

This patent expired December 28, 2008 for failure to pay the 3.5 year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

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The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

USPTO records do not reflect that practitioner has been empowered to represent patentees. However, in accordance with 37 CFR 1.34, practitioner's execution of the petition is accepted. Nonetheless, the address indicated on the petition differs from that contained in the official record. Practitioner is advised to promptly submit the proper power of attorney/change of correspondence address if patentee desires to receive correspondence concerning this patent at an address other than that which is contained in the record. Absent written instruction to the contrary, all future correspondence will continue to be addressed to the correspondence address contained in the record.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.

The patent file is being forwarded to Files Repository.

ALESIA M. BROWN

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Registration # 26902 Attorney's Applications HAKEN, JACK E. U.S. PHILIPS CORP. 580 WHITE PLAINS RD. TARRYTOWN, NY 10591

Registration Status : ACTIVE

Customer Number	Customer Telephone Number	Customer Address
24737 Customer's Applications		PHILIPS ELECTRONICS NORTH AMERICAN CORP 580 WHITE PLAINS RD TARRYTOWN, NY 10591
24738 Customer's Applications		PHILIPS ELECTRONICS NORTH AMERICA CORPORATION GROUP PATENT COUNSEL CORPORATE INTELLECTUAL PROPERTY 1000 WEST MAUDE AVE SUNNYVALE, CA 94086-2810

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T-242 P.04/18 F-704

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PATENT Case No. PHF 99,624 (7790/310)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re patent application of:

PHILIPPE DECOTIGNIE

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NICHOLAS (33.983)

May 20, 2004 Date of Signature

Or regulation representative

Serial No.: 09/739,507

Filed: DECEMBER 18, 2000

For: ANTI-THEFT PROTECTION FOR ) A RADIOTELEPHONY DEVICE ) Examiner: ZEWDU, MELESS Group Art Unit: 2683

# **RESPONSE TO FINAL OFFICE ACTION DATED FEBRUARY 19, 2004**

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

Sir:

In response to a Final Office action of February 18, 2004, please amend the above referenced application as follows and reconsider the application in light of the following remarks.

PAGE 4/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.05/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Senal No.: 09/739,507 Filed: December 18, 2000 Page 2 of 14

#### CLAIM AMENDMENTS:

A listing of the entire set of claims 1-30 (including amendments to claims 11, 18, 21, 28 and 29) is submitted herewith per 37 CFR §1.121. This listing of claims 1-30 will replace all prior versions, and listings, of claims in the application.

#### 1.-10. (Cancelled)

 (Currently Amended) A mobile radiotelephony device, comprising: blocking means for preventing a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of outgoing calls;

timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device; and

deblocking means for permitting the normal operation of the mobile radiotelephony device in response to a supply of a <del>dobugging</del> <u>deblocking</u> code to the mobile radiotelephony device subsequent to the mounting of the linked user identification module inside the mobile radiotelephony device and subsequent to the defined period of time.

12. (Previously Presented) The mobile radiotelephony device of claim 11, wherein an activation of the blocking means prevents all transmission of outgoing calls.

13. (Previously Presented) The mobile radiotelephony device of claim 11, wherein an activation of the blocking means prevents all transmissions of nonemergency outgoing calls and permits all transmissions of emergency outgoing calls.

PAGE 5/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.06/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 3 of 14

14. (Previously Presented) The mobile radiotelephony device of claim 11, further comprising:

locking means for facilitating an activation of the block means by the timing means.

15. (Previously Presented) The mobile radiotelephony device of claim 11, further comprising:

connecting means for establishing a link between the mobile radiotelephony device and the linked user identification module.

16 (Previously Presented) The mobile radiotelephony device of claim 15, further comprising:

locking means for facilitating an establishment of the link between the mobile radiotelephony device and the linked user identification module by the connection means

17. (Previously Presented) The mobile radiotelephony device of claim 11, wherein an international identification number stored on the linked user identification module is stored on the mobile radiotelephony device as data corresponding to a link between the mobile radiotelephony device and the linked user identification module.

18. (Currently Amended) The mobile radiotelephony device of claim 11, wherein a personal identification number stored on the linked user identification module is stored as the debugging deblocking code on the mobile radiotelephony device.

19. (Previously Presented) The mobile radiotelephony device of claim 11, further comprising:

test means for activating the blocking means when any unlinked user identification module is mounted inside the mobile radiotelephony device.

PAGE 6/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

#### T-242 P.07/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed. December 18, 2000 Page 4 of 14

20. (Previously Presented) A method of protecting a mobile radiotelephony device, the method comprising.

verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device;

detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls;

preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device.

21. (Currently Amended) The method of claim 20, further comprising:

permitting the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to a supply of a dobugging deblocking code to the mobile radiotelephony device subsequent to the detection of the period of inactivity of the mobile radiotelephony device.

22. (Previously Presented) The method of claim 20, wherein the prevention of the normal operation of the mobile radiotelephony device prevents all transmissions of outgoing calls.

23. (Previously Presented) The method of claim 20, wherein the prevention of the normal operation of the mobile radiotelephony device prevents all transmissions of non-emergency outgoing calls and permits all transmissions of emergency outgoing calls.

PAGE 7/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.08/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 5 of 14

 24. (Previously Presented) The method claim 20, further comprising: storing an international identification number stored on the linked user
 identification module onto the mobile radiotelephony device as data corresponding to
 a link between the mobile radiotelephony device and the linked user identification
 module.

25. (Previously Presented) The method claim 21, further comprising: storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as the debugging code.

26. (Previously Presented) The method of claim 20, further comprising: preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device.

27. (Previously Presented) In a mobile radiotelephony device, a computer readable medium comprising:

computer readable code for verifying a user identification module mounted inside the mobile radiotelephony device is linked to the mobile radiotelephony device;

computer readable code for detecting a period of inactivity of the mobile radiotelephony device during a normal operation of the mobile radiotelephony device, wherein the normal operation includes a processing of all outgoing calls;

computer readable code for preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device.

PAGE 8/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.09/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 6 of 14

28 (Currently Amended) The computer readable medium of claim 27, further comprising:

computer readable code for permitting the normal operation of the mobile radiotelephony device in response to the vertification of the linked user identification module and in response to a supply of a <u>debugging deblocking</u> code to the mobile radiotelephony device subsequent to the detection of the period of inactivity of the mobile radiotelephony device.

29. (Currently Amended) The computer readable medium of claim 28, further comprising:

storing a personal identification number stored on the linked user identification module onto the mobile radiotelephony device as the debugging deblocking code.

30. (Previously Presented) The computer readable medium of claim 27, further comprising.

preventing the normal operation of the mobile radiotelephony device in response to any unlinked user identification module being mounted inside the mobile radiotelephony device.

PAGE 9/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR: USPTO-EFXRF-1/3 \* DNIS: 8729315 \* CSID: \* DURATION (mm-ss): 04-56

T-242 P.10/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Senial No.: 09/739,507 Filed: December 18, 2000 Page 7 of 14

#### REMARKS/DISCUSSION OF ISSUES

In the Final Office Action, Examiner Zewdu rejected pending claims 11-30 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.114:

A. Examiner Zewdu rejected claims 11, 18, 21, 28 and 29 under 35 U.S.C. §112, ¶1 for failing to comply with the written description requirement

The Applicant has amended claims 11, 18, 21, 28 and 29 herein to correctly recite "deblocking code". Withdrawal of the rejection of claims 11, 18, 21, 28 and 29 under 35 U.S.C. §112, ¶1 for failing to comply with the written description is therefore respectfully requested.

B. Examiner Zewdu rejected claims 11 and 13-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,913,175 to *Pinault* in view of U.S. Patent No. 6,095,416 to *Grant* et al.

The Applicant has thoroughly considered Examiner Zewdu's remarks concerning the patentability of claims 11 and 13-30 over *Pinault* in view of *Grant*. The Applicant has also thoroughly read *Pinault* and *Grant*. To warrant this 35 U.S.C. §103(a) rejection of claims 11 and 13-30, all the claim limitations recited in independent claims 11, 20 and 27 must be taught or suggested by the combination of *Pinault* and *Grant*. See, MPEP §2143. The Applicant respectfully traverses this

PAGE 10/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.11/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 8 of 14

§103(a) rejection of claims 11-30, because *Pinuult* and *Grant* in combination fails to disclose, teach or suggest the following limitations of independent claims 11, 20 and 27:

1. "timing means for activating the blocking means in response to the mobile radiotelephony device being inactive during the normal operation of the mobile radiotelephony device for a defined period of time subsequent to a mounting of a linked user identification module inside the mobile radiotelephony device" as recited in independent claim 11;

2. "preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 20; and

3. "<u>computer code for preventing the normal operation of the</u> mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 27.

As to the traversal, Examiner Zewdu has correctly recognized *Pinault*'s failure to disclose, teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. A proper reading of *Grant* reveals that *Grant* also fails to teach or suggest the aforementioned limitations of independent claims 11, 20 and 27.

PAGE 11/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.12/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 9 of 14

Specifically, Grant discloses authorization cards having a default disabled state and an enabled state, where the cards revert from the enabled state to a default disabled state after a predetermined period of time. See, Grant at column 3, lines 54-66. In a first embodiment as illustrated in FIGS 4(a) and 4(b) of Grant, a removal of pressure from a polymer 36 allows polymer 36 to return to its original shape that corresponds to the default disabled state. See, Grant at column 6, lines 11-19. Grant clearly fails to teach or suggest a returning of polymer 36 to its original shape as being a function of an inactivity of a device.

In a second embodiment as illustrated in FIG. 7(c) of *Grant*, a sufficient charge bleed off a capacitor 106 reverts the card to the default disabled state. <u>See</u>, *Grant* at column 10, lines 43-48. *Grant* clearly fails to teach or suggest bleeding of capacitor 106 as being a function of an inactivity of a device.

In a third embodiment as illustrated in FIG. 9(c) of *Grant*, a removal of pressure from a membrane 214 allows membrane 214 to return to its original shape that corresponds to the default disabled state. See, *Grant* at column 11, lines 28-40. *Grant* clearly fails to teach or suggest a returning of membrane 214 to its original shape as being a function of an inactivity of a device.

The following working example of *Grant* clarifies the failure of *Grant* to teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. In this example, the authorization card of *Grant* is a credit card mounted within a credit card reader. In accordance with the teachings of Grant, an entering of a correct PIN number on the credit card via the reader enables the reader to perform credit operations based on the confidential information of the credit card of *Grant*, which reverts to a disabled state after a predetermined period of time after the entering of the correct PIN. This predetermined period of time is clearly not dependent upon an active state or inactive state of the credit card reader as required by independent claims 11, 20 and 27 of the present invention. Specifically, a user of the credit card to make a purchase, yet the predetermined time period is not delayed, frozen or

PAGE 12/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.13/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 10 of 14

otherwise affected by this type of activity. Conversely, a user of the credit card reader can be indecisive as to whether or not to use the confidential information of the enabled credit card to make a purchase whereby the credit card reader is inactive, yet the predetermined time period is not delayed, frozen or otherwise affected by this type of inactivity.

Thus, the combination of *Pinault* and *Grant* does not teach or suggest the aforementioned limitations of independent claims 11, 20 and 27.

Moreover, the Applicant respectfully asserts that *Pinault* teaches away from the combination of *Pinault* and *Grant* as asserted by Examiner Zewdu, because *Pinault* teaches its objective is to provide a method that does not require users to enter their PIN code each time they insert their user card into the terminal and the terminal/user card link of *Pinault* is dependent, firstly, on first data stored on the linked user card and, secondly, on a calculation function specific to the terminal. See, *Pinault* at column 3, line 12 to column 6, line 67. Thus, to modify *Pinault* to force a user to enter a PIN each time the user wanted to use the card and to make time a factor in an otherwise time insensitive scheme would improperly change the principle operation of *Pinault*.

Withdrawal of the rejection of independent claims 11, 20 and 27 under §103(a) as being unpatentable over *Pinault* in view of *Grant* is therefore respectfully requested.

Claims 13-19 depend from independent claim 11. Therefore, dependent claims 13-19 include all of the elements and limitations of independent claim 11. It is therefore respectfully submitted by the Applicant that dependent claims 13-19 are allowable over *Pinault* in view of *Grant* for at least the same reason as set forth with respect to independent claim 11 being allowable over *Pinault* in view of *Grant*. Withdrawal of the rejection of dependent claims 13-19 under U.S.C. §103(a) as being patentable over *Pinault* in view of *Grant* is therefore respectfully requested.

PAGE 13/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.14/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 11 of 14

Claims 21-26 depend from independent claim 20. Therefore, dependent claims 21-26 include all of the elements and limitations of independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21-26 are allowable over *Pinault* in view of *Grant* for at least the same reason as set forth with respect to independent claim 20 being allowable over *Pinault* in view of *Grant*. Withdrawal of the rejection of dependent claims 21-26 under U.S.C. §103(a) as being patentable over *Pinault* in view of *Grant* is therefore respectfully requested.

Claims 28-30 depend from independent claim 27. Therefore, dependent claims 28-30 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-30 are allowable over *Pinault* in view of *Grant* for at least the same reason as set forth with respect to independent claim 27 being allowable over *Pinault* in view of *Grant*. Withdrawal of the rejection of dependent claims 28-30 under U.S.C. §103(a) as being patentable over *Pinault* in view of *Grant* is therefore respectfully requested.

C. Examiner Zewdu rejected claims 11-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 6,370,400 B1 to *Decotignie* in view of U.S. Patent No. 6,095,416 to *Grant* et al.

The Applicant has thoroughly considered Examiner Zewdu's remarks concerning the patentability of claims 11-30 over *Decotignie* in view of *Grant*. The Applicant has also thoroughly read *Decotignie* and *Grant*. To warrant this obviousness-type double patenting rejection of claims 11-30, all the claim limitations recited in independent claims 11, 20 and 27 must be taught or suggested by the combination of *Decotignie* and *Grant* See, MPEP §2143. The Applicant respectfully

PAGE 14/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

#### T-242 P.15/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 12 of 14

traverses this obviousness-type double patenting rejection of claims 11, 12, 14-22 and 24-30, because *Decotignie* and *Grant* in combination fails to disclose, teach or suggest the following limitations of independent claims 11, 20 and 27:

1. "<u>tuming means for activating the blocking means in response to the</u> <u>mobile radiotelephony device being inactive during the normal operation</u> of the mobile radiotelephony device for a defined period of time <u>subsequent to a mounting of a linked user identification module inside the</u> <u>mobile radiotelephony device</u>" as recited in independent claim 11;

2. "preventing the normal operation of the mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 20; and

3. "<u>computer code for preventing the normal operation of the</u> mobile radiotelephony device in response to the verification of the linked user identification module and in response to the detection of the period of inactivity of the mobile radiotelephony device" as recited in independent claim 27.

As to the traversal, Examiner Zewdu has correctly recognized *Decotignie*'s failure to disclose, teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. And, as previously set forth herein, a proper reading of *Grant* reveals that *Grant* also fails to teach or suggest the aforementioned limitations of independent claims 11, 20 and 27. Thus, the combination of *Decotignte* and *Grant* does not teach or suggest the aforementioned limitations of independent claims 11, 20 and 27.

PAGE 15/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

#### T-242 P.16/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 13 of 14

Withdrawal of the rejection of independent claims 11, 20 and 27 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over *Decotignie* in view of *Grant* is therefore respectfully requested.

Claims 12-19 depend from independent claim 11. Therefore, dependent claims 12-19 include all of the elements and limitations of independent claim 11. It is therefore respectfully submitted by the Applicant that dependent claims 12-19 are allowable over *Decotignie* in view of *Grant* for at least the same reason as set forth with respect to independent claim 11 being allowable over *Decotignie* in view of *Grant*. Withdrawal of the rejection of dependent claims 12-19 under the judicially created doctrine of obviousness-type double patenting as being patentable over *Decotignie* in view of *Grant* is therefore respectfully requested.

Claims 21-26 depend from independent claim 20. Therefore, dependent claims 21-26 include all of the elements and limitations of independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21-26 are allowable over *Decotignie* in view of *Grant* for at least the same reason as set forth with respect to independent claim 20 being allowable over *Decotignie* in view of *Grant*. Withdrawal of the rejection of dependent claims 21-26 under the judicially created doctrine of obviousness-type double patenting as being patentable over *Decotignie* in view of *Grant* is therefore respectfully requested.

Claims 28-30 depend from independent claim 27. Therefore, dependent claims 28-30 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-30 are allowable over *Decotignie* in view of *Grant* for at least the same reason as set forth with respect to independent claim 27 being allowable over *Decotignie* in view of *Grant*. Withdrawal of the rejection of dependent claims 28-30 under the judicially created doctrine of obviousness-type double patenting as being patentable over *Decougnte* in view of *Grant* is therefore respectfully requested.

PAGE 16/18 \* RCVD AT 5/21/2004 10:36:45 AM (Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

T-242 P.17/18 F-704

May 20, 2004 Case No.: PHF 99,624 (7790/310) Serial No.: 09/739,507 Filed: December 18, 2000 Page 14 of 14

#### <u>SUMMARY</u>

Examiner Zewdu's written description rejection of claims 11, 18, 21, 28 and 29 has been obviated by the amendment herein of claims 11, 18, 21, 28 and 29. Examiner Zewdu's obviousness rejection of claims 11-30 have been obviated the remarks herein supporting an allowance of claims 11-30 over the art of record. The Applicant respectfully submits that claims 11-30 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Zewdu is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: May 20, 2004

Respectfully submitted, PHILIPPE DECOTIGNIE

PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. Box 3001 Briarcliff, New York 10510 (914) 333-9606

CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, Illinois 60201 Phone: (847) 905-7111 Fax: (847) 905-7113 Jack D. Slobod Registration No. 26,236 Attorney for Applicant

Frank C. Nicholas Registration No. 33,983 Attorney for Applicant

PAGE 17/18 \* RCVD AT 5/21/2004 10:36:45 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729315 \* CSID: \* DURATION (mm-ss):04-56

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Page 1 of 2

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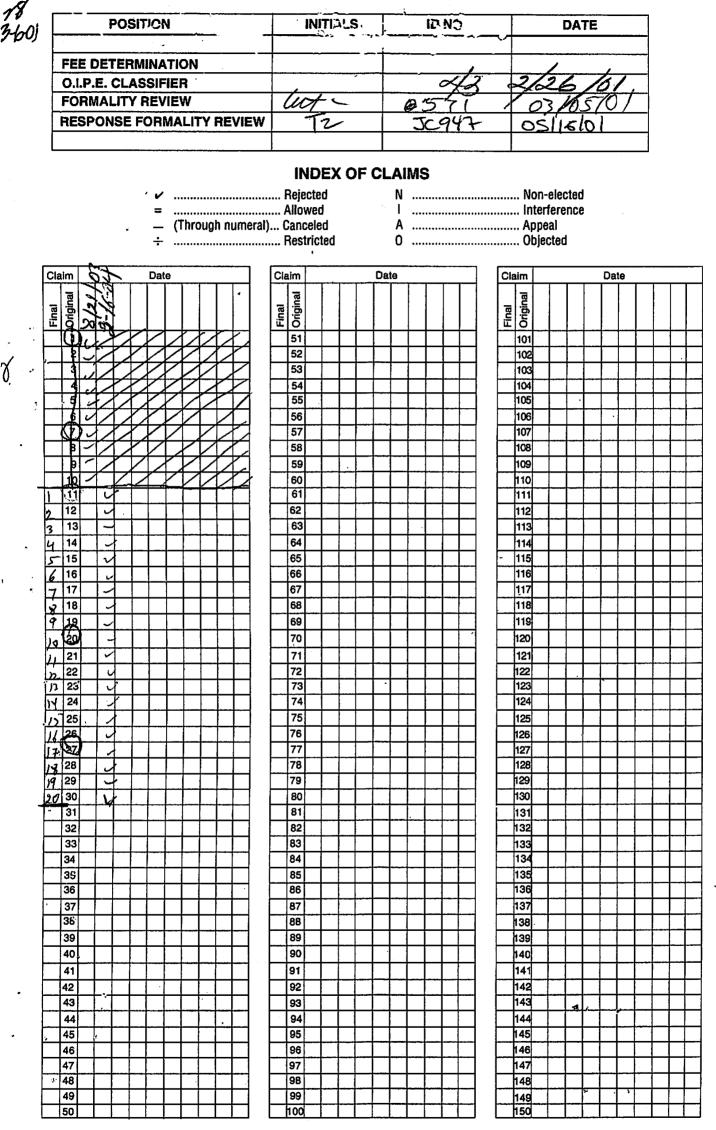
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