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26285	7590	06/14/2013	EXAMINER	
K&L GATES LLP 210 SIXTH AVENUE PITTSBURGH, PA 15222-2613			DOAN, KIET M	
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			2641	
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## DETAILED ACTION

This office action is in response to Applicant Remarks filed on 04/18/2013.

Claims 3-8 are amended.

Claims 12 and 13 are new.

The examiner withdrawn the objection of claims 8 and 11 due to claim set are amended and further search.

### *Response to Arguments*

Applicant's arguments with respect to claim 6 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

### *Claim Rejections - 35 USC § 103*

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

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

Claims 6, 7, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fikelstein et al. (US 2009/0063703 A1) in view of Nishiguchi et al. (US 2005/0240296 A1).

Regarding **claims 6 and 9**, Fikelstein teaches a system comprising:

Art Unit: 2641

a digital audio player comprising an audio iack (Paragraph [0092], [0116],  
fig. 5f #623 teach portable device 10/smart phone as read on digital audio player  
including audio port or headset jack for head phone connector /audio jack);

a wireless network adapter external to the digital audio player and connected to  
the digital audio player via the audio jack, wherein the wireless network adapter is for  
encoding analog audio received from the digital audio player into digital format and  
wirelessly transmitting the digitally-formatted audio (Paragraphs [0070], [0073] fig.1 and  
fig.3, Illustrate server 42/282 as read on "wireless network adapter" that connected to  
portable device 10/212/214 wherein the server perform encoding analog to digital) ;

a streaming digital audio content server that is connected to the Internet  
(Paragraph [0020 teach server streaming media connected to the internet);

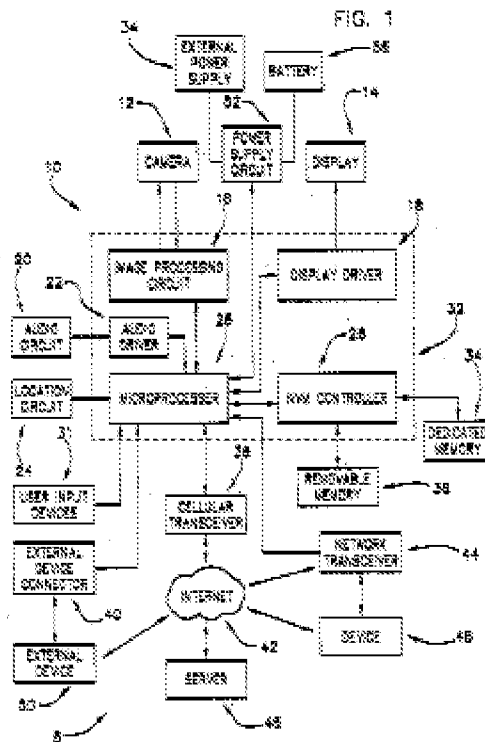
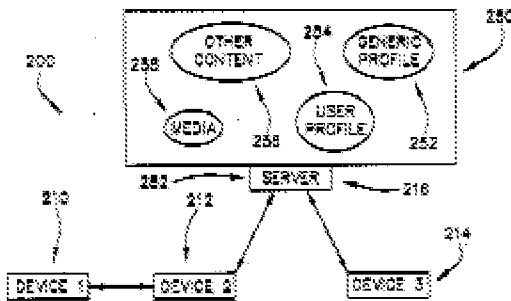


FIG. 3



a transceiver (fig.1, # 20/22) that is for:

receiving digitally-formatted audio, in a first mode, from the streaming digital

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