

RECEIVED P. 1
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DEC 12 2007

FAX

TO: Commissioner for Patents, Mail Stop:	FROM: C. Douglass Thomas Ph: 650-903-9200, Fax: 650-903-9800
COMPANY: United States Patent Office	DATE: 12/12/2007
FAX NUMBER: 571-273-8300	NO. OF PAGES (INCLUDING COVER): 4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: IPVMCP02
RE:	RECIPIENT'S REFERENCE NUMBER: 11/452,115

NOTES/COMMENTS:

Transmitted herewith are the following documents for entry into the above-noted file:

Information Disclosure Statement 2 pages

Form 1449 1 page

Thank you.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE AND OTHERS WHO HAVE BEEN SPECIFICALLY AUTHORIZED TO RECEIVE SUCH. IF THE RECIPIENT IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF ANY PROBLEMS OCCUR WITH TRANSMISSION, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AT (650)903-9200. THANK YOU.

RECEIVED
CENTRAL FAX CENTER
DEC 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CHEUNG et al.

Attorney Docket No.: IPVMCP02

Application No.: 11/452,115

Examiner: TROST IV, WILLIAM
GEORGE

Filed: June 12, 2006

Group: 2617

Title: SYSTEMS AND PROCESSES TO
MANAGE MULTIPLE MODES OF
COMMUNICATION

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents, Alexandria, VA 22313-1450 on December 12, 2007.

Signed:



Printed Name: Patricia Tate

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

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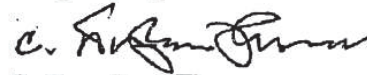
Appln. No. 11/452,115

1

Atty. Docket No. IPVMCP02

Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3874 (Order No. IPVMCP02).

Respectfully submitted,



C. Douglass Thomas
Registration No. 32,947

5150 El Camino Real,
Building A, Ste. 22
Los Altos, CA 94022

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMCP02
	Application No.:	11/452,115
	Applicant	CHEUNG et al.
	Filing Date	June 12, 2006
	Group	2617
		Page 1 of 1

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DEC 12 2007

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	5,828,731	Oct. 98	Szlam et al.			
	2.	2002/0094067	Jul. 02	August			
	3.	2004/0122979 A1	Jun. 04	Kirkland			
	4.	2005/0037785 A1	Feb. 05	Chen			
	5.	2005/0191994 A1	Sep. 05	May et al.			
	6.	2005/0192061 A1	Sep. 05	May et al.			
	7.	2005/0273327 A1	Dec. 05	Krishnan			
	8.	6,816,578 B1	Nov. 04	Kredo et al.			
	9.	6,978,136 B2	Dec. 05	Jenniges et al.			
	10.	7,010,332 B1	Mar. 06	Irvin et al.			
	11.	7,027,842 B2	Apr. 06	Zhang et al.			
	12.	7,072,452 B1	Jul. 06	Roberts et al.			
	13.	7,111,044 B2	Sep.06	Lee			

Foreign Documents

Init.	Document No.	Date	Country	Class	Subclass	Translation	
						Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

A	
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Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RECEIVED
CENTRAL FAX CENTER

DEC 14 2007

FAX

TO: Commissioner for Patents, Mail Stop:	FROM: C. Douglass Thomas Ph: 650-903-9200, Fax: 650-903-9800
COMPANY: United States Patent Office	DATE: 12/14/2007
FAX NUMBER: 571-273-8300	NO. OF PAGES (INCLUDING COVER): 4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: IPVMCP02
RE:	RECIPIENT'S REFERENCE NUMBER: 11/452,115

NOTES/COMMENTS:

Transmitted herewith are the following documents for entry into the above-noted file:

Information Disclosure Statement	2 pages
Form 1449	1 page

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DEC 14 2007

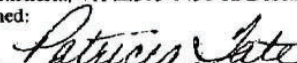
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CHEUNG et al.	Attorney Docket No.: IPVMCP02
Application No.: 11/452,115	Examiner: TROST IV, WILLIAM GEORGE
Filed: June 12, 2006	Group: 2617
Title: SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION	

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents, Alexandria, VA 22313-1450 on December 14, 2007.

Signed:


Printed Name: Patricia Tate

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

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Appln. No. 11/452,115

1

Atty. Docket No. IPVMCP02

Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3874 (Order No. IPVMCP02).

Respectfully submitted,



C. Douglass Thomas
Registration No. 32,947

5150 El Camino Real,
Building A, Ste. 22
Los Altos, CA 94022

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMCP02	RECEIVED CENTRAL FAX CENTER DEC 14 2007
	Application No.:	11/452,115	
	Applicant	CHEUNG et al.	
	Filing Date	June 12, 2006	
	Group	2617	
		Page 1 of 1	

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	7,107,010 B2	Sep. 06	Heinonen et al.			
	2.						
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	11.						
	12.						
	13.						

Foreign Documents

Init.	Document No.	Date	Country	Class	Subclass	Translation	
						Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

A	
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Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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MAY 22 2008

FAX

TO: Commissioner for Patents, Mail Stop:	FROM: C. Douglass Thomas Ph: 650-903-9200, Fax: 650-903-9201
COMPANY: United States Patent Office	DATE: 5/22/2008
FAX NUMBER: 571-273-8300	NO. OF PAGES (INCLUDING COVER): 4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: IPVMCP02
RE:	RECIPIENT'S REFERENCE NUMBER: 11/452,115

NOTES/COMMENTS:

Transmitted herewith are the following documents for entry into the above-noted file:

Information Disclosure Statement 2 pages

Form 1449 1 page

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MAY 22 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CHEUNG et al. Attorney Docket No.: IPVMCP02

Application No.: 11/452,115 Examiner: BOST, DWAYNE D.

Filed: June 12, 2006 Group: 2617

Title: SYSTEMS AND PROCESSES TO
MANAGE MULTIPLE MODES OF
COMMUNICATION

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 22, 2008.

Signed: Patricia Tate

Printed Name: Patricia Tate

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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

Dear Sir:

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Appln. No. 11/452,115

1

Atty. Docket No. IPVMCP02

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Respectfully submitted,



C. Douglass Thomas
Registration No. 32,947

5150 El Camino Real,
Building A, Ste. 22
Los Altos, CA 94022

Appln. No. 11/452,115

2

Atty. Docket No. IPVMCP02

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Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMCP02	MAY 22 2008
	Application No.:	11/452,115	
	Applicant	CHEUNG et al.	
	Filing Date	June 12, 2006	
	Group	2617	
		Page 1 of 1	

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	7,010,332 B1	Mar.-06	Irvin et al.			
	2.	7,376,434	May-08	Thomas et al.			
	3.	2007/0047522 A1	Mar.-07	Jefferson et al.			
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Foreign Documents

Init.	Document No.	Date	Country	Class	Subclass	Translation	
						Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

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Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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JUL 07 2008

FAX

TO: Commissioner for Patents, Mail Stop:	FROM: C. Douglass Thomas Ph: 650-903-9200, Fax: 650-903-9800
COMPANY: United States Patent Office	DATE: 7/7/2008
FAX NUMBER: 571-273-8300	NO. OF PAGES (INCLUDING COVER): 4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: IPVMCP02
RE:	RECIPIENT'S REFERENCE NUMBER: 11/452,115

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Information Disclosure Statement 2 pages

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JUL 07 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CHEUNG et al.

Attorney Docket No.: IPVMCP02

Application No.: 11/452,115

Examiner: BOST, DWAYNE D.

Filed: June 12, 2006

Group: 2617

Title: SYSTEMS AND PROCESSES TO
MANAGE MULTIPLE MODES OF
COMMUNICATION

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 7, 2008.

Signed: Patricia Tate

Printed Name: Patricia Tate

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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

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Appln. No. 11/452,115

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Atty. Docket No. IPVMCP02

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Respectfully submitted,



C. Douglass Thomas
Registration No. 32,947

5150 El Camino Real,
Building A, Ste. 22
Los Altos, CA 94022

JUL 07 2008

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMCP02
	Application No.:	11/452,115
	Applicant	CHEUNG et al.
	Filing Date	June 12, 2006
	Group	2617
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	7,085,253	Aug.-06	Yang			
	2.						
	3.						
	4.						
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Foreign Documents

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						Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

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Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RECEIVED
CENTRAL FAX CENTER
OCT 08 2008

FAX

TO: Commissioner for Patents, Mail Stop:	FROM: C. Douglass Thomas Ph: 650-903-9200, Fax: 650-903-9800
COMPANY: United States Patent Office	DATE: OCT. 8, 2008
FAX NUMBER: 571-273-8300	NO. OF PAGES (INCLUDING COVER): 14
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: IPVMCP02
RE:	RECIPIENT'S REFERENCE NUMBER: 11/452,115

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Form 1449	1 page
1 cited reference	10 pages

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In re application of: CHEUNG et al. Attorney Docket No.: IPVMCP02

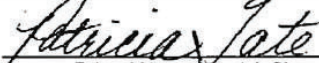
Application No.: 11/452,115 Examiner: BOST, DWAYNE D.

Filed: June 12, 2006 Group: 2617

Title: SYSTEMS AND PROCESSES TO
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Signed: 
Printed Name: Patricia Tate

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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P.O. Box 1450
Alexandria, VA 22313-1450

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Appln. No. 11/452,115

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Atty. Docket No. IPVMCP02

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Respectfully submitted,



C. Douglass Thomas
Registration No. 32,947

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Building A, Ste. 22
Los Altos, CA 94022

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	Application No.:	11/452,115
	Applicant	CHEUNG, et al.
	Filing Date	June 12, 2006
	Group	2617
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	6,463,462 B1	Oct.-02	Smith et al.			
	2.	6,636,888 B1	Oct.-03	Bookspan et al.			
	3.						
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Foreign Documents

Init.	Document No.	Date	Country	Class	Subclasses	Translation	
						Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

A	PCT International Search Report and Written Opinion, Re: PCT/US 06/22015, September 22, 2008.
B	
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Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
PETER P. TONG
 5150 EL CAMINO REAL
 BUILDING A, SUITE 22
 LOS ALTOS, CA 94022

PCT

NOTIFICATION OF TRANSMITTAL OF
 THE INTERNATIONAL SEARCH REPORT AND
 THE WRITTEN OPINION OF THE INTERNATIONAL
 SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing (day/month/year) 22 SEP 2008	
Applicant's or agent's file reference IPVMCP02 WO	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US 06/22015	International filing date (day/month/year) 07 June 2006 (07.06.2006)
Applicant IPVENTURE, INC.	

- The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
Filing of amendments and statement under Article 19:
 The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):
When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.
Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35
 For more detailed instructions, see the notes on the accompanying sheet.
- The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
- With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
 - the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
 - no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
- 4. Reminders**
 Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.
 The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.
 Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.
 In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.
 See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774
---	---

Form PCT/ISA/220 (January 2004)

(See notes on accompanying sheet)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

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Applicant's or agent's file reference IPVMCP02 WO	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US 06/22015	International filing date (day/month/year) 07 June 2006 (07.06.2006)	(Earliest) Priority Date (day/month/year) 10 June 2005 (10.06.2005)
Applicant IPVENTURE, INC.		

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

This international search report consists of a total of 3 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- the international application in the language in which it was filed.
- a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (see Box No. II).

3. Unity of invention is lacking (see Box No. III).

4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 5
- as suggested by the applicant.
 - as selected by this Authority, because the applicant failed to suggest a figure.
 - as selected by this Authority, because this figure better characterizes the invention.
- b. none of the figures is to be published with the abstract.

Form PCT/ISA/210 (first sheet) (April 2007)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 06/22015

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

- 1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

- 2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

- 3. Claims Nos.: 4-10 and 28-29
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

- 1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
- 2. As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
- 3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
- 4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

- Remark on Protest
- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
 - The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
 - No protest accompanied the payment of additional search fees.

Form PCT/ISA/210 (continuation of first sheet (2)) (April 2007)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 06/22015

<p>A. CLASSIFICATION OF SUBJECT MATTER IPC(B) - G06F 15/16 USPC - 709/223 According to International Patent Classification (IPC) or to both national classification and IPC</p>																										
<p>B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) USPC: 709/223</p> <p>Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched USPC: 709/201, 205, 206, 207, 223, 224, 238; 715/700, 736, 741, 748</p> <p>Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) Electronic Databases: Dialog WEB (USPT, WIPO/PCT, EPO, JAPID, Derwent); Google Patents Search Terms Used: portal OR gateway OR database, smat OR phone OR sms OR pager OR fax, redirect OR directing OR routing OR route, priority OR rank, automatically, calendar, etc.</p>																										
<p>C. DOCUMENTS CONSIDERED TO BE RELEVANT</p> <table border="1"> <thead> <tr> <th>Category*</th> <th>Citation of document, with indication, where appropriate, of the relevant passages</th> <th>Relevant to claim No.</th> </tr> </thead> <tbody> <tr> <td>X ---</td> <td>US 6,665,534 B1 (Conklin et al.) 18 December 2003 (16.12.2003) (figure 1, Col. 2 line(s) 4-6, Col. 3 line(s) 2-9, Col. 4 line(s) 14-16, 29-33, Col. 5 line(s) 17-19, 45-67, Col. 6 line(s) 1-3, 7-9)</td> <td>1-3, 11, 21, 23, and 30-32 12-20, 22, 24-27, and 33</td> </tr> <tr> <td>Y</td> <td>US 6,463,462 B1 (Smith et al.) 08 October 2002 (08.10.2002) (Col. 4 Line(s) 14-16, 28-33, 49-54, Col. 5 line(s) 25-28, Col. 6 line(s) 2-7, 52-58, Col. 8 line(s) 59-63, Col. 9 line(s) 2-3, 16-24, Col. 10 line(s) 54-55, 62-64)</td> <td>12-20, 22, 24-27, and 33</td> </tr> <tr> <td>A</td> <td>US 6,636,888 B1 (Bookspan et al.) 21 October 2003 (21.10.2003) (abstract)</td> <td>1-3, 11-27, and 30-33</td> </tr> </tbody> </table> <p><input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/></p> <table border="0"> <tr> <td>* Special categories of cited documents:</td> <td>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"A" document defining the general state of the art which is not considered to be of particular relevance</td> <td>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"E" earlier application or patent but published on or after the international filing date</td> <td>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"G" document member of the same patent family</td> </tr> <tr> <td>"O" document referring to an oral disclosure, use, exhibition or other means</td> <td></td> </tr> <tr> <td>"P" document published prior to the international filing date but later than the priority date claimed</td> <td></td> </tr> </table>			Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.	X ---	US 6,665,534 B1 (Conklin et al.) 18 December 2003 (16.12.2003) (figure 1, Col. 2 line(s) 4-6, Col. 3 line(s) 2-9, Col. 4 line(s) 14-16, 29-33, Col. 5 line(s) 17-19, 45-67, Col. 6 line(s) 1-3, 7-9)	1-3, 11, 21, 23, and 30-32 12-20, 22, 24-27, and 33	Y	US 6,463,462 B1 (Smith et al.) 08 October 2002 (08.10.2002) (Col. 4 Line(s) 14-16, 28-33, 49-54, Col. 5 line(s) 25-28, Col. 6 line(s) 2-7, 52-58, Col. 8 line(s) 59-63, Col. 9 line(s) 2-3, 16-24, Col. 10 line(s) 54-55, 62-64)	12-20, 22, 24-27, and 33	A	US 6,636,888 B1 (Bookspan et al.) 21 October 2003 (21.10.2003) (abstract)	1-3, 11-27, and 30-33	* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"E" earlier application or patent but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"G" document member of the same patent family	"O" document referring to an oral disclosure, use, exhibition or other means		"P" document published prior to the international filing date but later than the priority date claimed	
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<p>Date of the actual completion of the international search 15 September 2008 (15.09.2008)</p>		<p>Date of mailing of the international search report 22 SEP 2008</p>																								
<p>Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201</p>		<p>Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OS P: 571-272-7774</p>																								

Form PCT/ISA/210 (second sheet) (April 2007)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
PETER P. TONG
5150 EL CAMINO REAL
BUILDING A, SUITE 22
LOS ALTOS, CA 94022

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **22 SEP 2008**

Applicant's or agent's file reference IPVMCP02 WO		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/US 06/22015	International filing date (day/month/year) 07 June 2006 (07.06.2006)	Priority date (day/month/year) 10 June 2005 (10.06.2005)	
International Patent Classification (IPC) or both national classification and IPC IPC(8) - G06F 15/173 (2008.04) USPC - 709/223			
Applicant IPVENTURE, INC.			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Date of completion of this opinion 15 September 2008 (15.09.2008)	Authorized officer: Lee W. Young <small>PCT Helpdesk: 671-272-4300 PCT CSR: 671-272-7774</small>
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Form PCT/ISA/237 (cover sheet) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US 06/22015

Box No. 1	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed.</p> <p><input type="checkbox"/> a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).</p>
2.	<p><input type="checkbox"/> This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a)).</p>
3.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> on paper</p> <p><input type="checkbox"/> in electronic form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed</p> <p><input type="checkbox"/> filed together with the international application in electronic form</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search</p>
4.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
5.	<p>Additional comments:</p>

Form PCT/ISA/237 (Box No. 1) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US 06/22015

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

- the entire international application
- claims Nos. 4-10 and 28-29

because:

the said international application, or the said claims Nos. _____ relate to the following subject matter which does not require an international search (specify):

the description, claims or drawings (indicate particular elements below) or said claims Nos. 4-10 and 28-29 are so unclear that no meaningful opinion could be formed (specify):

Claims 4-10 and 28-29 are improper multiple dependent claims, and are not drafted in accordance with the second and third sentences of PCT Rule 6.4(a).

the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed (specify):

no international search report has been established for said claims Nos. 4-10 and 28-29

a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).

a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

See Supplemental Box for further details.

Form PCT/ISA/237 (Box No. III) (April 2007)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US 08/22015

Box No. V	Reasoned statement under Rule 43bfr.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	12-20, 22, 24-27, and 33	YES
	Claims	1-3, 11, 21, 23, and 30-32	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-3, 11-27, and 30-33	NO
Industrial applicability (IA)	Claims	1-33	YES
	Claims	None	NO
2. Citations and explanations:			
<p>Claims 1-3, 11, 21, 23, and 30-32 lacks novelty under PCT Article 33(2) as being anticipated by US 6,665,534 B1 to Conklin et al. (hereinafter "Conklin").</p> <p>As to claim 1, Conklin teach a computing device to manage the communication of a user in view of a person trying to electronically convey a message to the user, the device comprising: mechanism configured to identify the status of the user (Col. 3 line(s) 2-9, Col. 4 line(s) 14-18, 29-33); mechanism configured to identify the identity of the person (Col. 5 line(s) 17-19); mechanism configured to identify the urgency of the message (Col. 5 line(s) 56-63); mechanism configured to determine the access priority of the person based on the person's identity (Col. 5 line(s) 66-63); and mechanism configured to set a process to manage the message using one or more rules, and in view of the status of the user, the access priority of the person and the urgency of the message (Col. 5 line(s) 45-55).</p> <p>As to claim 2, Conklin teach wherein the status of the user depends on the current activity or location of the user, or the current time, or the status of the user is defined by the user (Col. 3 line(s) 2-9, Col. 4 line(s) 14-18, 29-33).</p> <p>As to claim 3, Conklin teach wherein the access priority of the person is defined by the user, or is set depending on the user's reaction towards a prior message from the person (Col. 2 line(s) 4-6).</p> <p>As to claim 11, Conklin teach a computer-implemented method for managing incoming communication for a recipient, said method comprising: receiving an incoming communication request of a first communication type from a requestor (Col. 3 line(s) 60-65, Col. 4 line(s) 58-61); determining an access priority for the requestor based on information provided by the recipient (Col. 5 line(s) 56-63); and determining an appropriate communication type for the incoming communication request based on one or more configurable rules and the access priority for the requestor (Col. 5 line(s) 63-67, Col. 6 line(s) 1-3, 7-9).</p> <p>As to claim 21, Conklin teach wherein said determining the appropriate communication type comprises filtering the incoming communication request, whereby the incoming communication request can be denied or redirected to another less intrusive communication type based on the one or more configurable rules and the access priority for the requestor (Col. 5 line(s) 5-9).</p> <p>As to claim 23, Conklin teach a computer-implemented method for managing incoming communication for a recipient, said method comprising: (a) receiving an incoming communication request directed at the recipient (Col. 3 line(s) 60-65, Col. 4 line(s) 58-61); (b) determining predetermined communication processing criteria for use in processing communication requests directed at the recipient, in view of the incoming communication request (Col. 3 line(s) 65-67, Col. 4 line(s) 1-2, 61-66); (c) determining whether and how to divert the incoming communication request to a specific communication mode among a plurality of communication modes based on the predetermined communication processing criteria (Col. 5 line(s) 5-9, Col. 6 line(s) 7-9); and (d) automatically diverting the incoming communication request to the specific communication mode if so determined (Col. 5 line(s) 63-67, Col. 6 line(s) 1-3).</p> <p>As to claim 30, Conklin teach a computer-implemented method for managing incoming communication for a recipient, said method comprising: (a) receiving an incoming communication request from a requestor (Col. 3 line(s) 60-65, Col. 4 line(s) 58-61); (b) determining predetermined communication processing criteria for use in processing communication requests directed at the recipient, in view of the incoming communication request (Col. 5 line(s) 56-63); and (c) automatically directing the incoming communication request to an address of the recipient to be received by the recipient, based on one or more of the predetermined communication processing criteria, wherein although the requestor has established communication with the recipient through the address of the recipient, the requestor does not have to know or to be provided with the address of the recipient (Col. 5 line(s) 63-67, Col. 6 line(s) 1-3, 7-9).</p> <p>As to claim 31, Conklin teach wherein the address is a phone number of the recipient (Col. 5 line(s) 63-66).</p> <p>As to claim 32, Conklin teach wherein the requestor sends the incoming communication request through a requestor address (Col. 3 line(s) 33-37), and wherein although the requestor has established communication with the recipient through the requestor address, the recipient does not have to know the requestor address but the recipient is aware of the identity of the requestor (Col. 5 line(s) 63-67, Col. 6 line(s) 1-3, 7-9).</p> <p>(See Supplemental Box)</p>			

Form PCT/ISA/237 (Box No. V) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US 06/22015

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box No. V --- Reasoned Statement 2. Citations and Explanations:

Claims 12-20, 22, 24-27, and 33 lacks inventive step under PCT Article 33(3) as being obvious Conklin in view of US 6,463,462 B1 to Smith et al. (hereinafter 'Smith').

As to claim 12, Conklin do not teach wherein the one or more configurable rules and/or the information are configured by the recipient through interaction with a website. However, Smith teach a user configuring information through a website (Col. 9 line(s) 2-3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Conklin and Smith because to use a web page/site for setting up the message to give the user a user friendly environment.

As to claim 13, Conklin teach wherein rules and/or the information are stored in a database (Col. 3 line(s) 65-67). Conklin et al. do not explicitly teach these rules and/or the information as being configurable. However, Smith teach the information being configurable (Col. 6 line(s) 2-7, Col. 9 line(s) 2-3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Conklin and Smith because to have a database that is editable by a user to let the user change settings when necessary.

As to claim 14, Conklin do not teach wherein the appropriate communication type is of a type different from the first communication type. However, Smith teach the requestor sending a message in one format and translating it into multiple other communications formats (Col. 10 line(s) 54-55, 62-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because allowing for processing of messages and associating information for delivery to multiple type of messaging devices.

As to claim 15, Conklin teach wherein said method further comprises determining a status of the recipient (Col. 3 line(s) 2-9, Col. 4 line(s) 14-16, 29-33), and wherein said determining operates to determine the appropriate communication type for the incoming communication request, the access priority for the requestor (Col. 5 line(s) 56-63), and the status of the recipient (Col. 3 line(s) 2-9, Col. 4 line(s) 14-16, 29-33). Conklin do not explicitly teach the rules being configurable. However, Smith teach the information being configurable (Col. 6 line(s) 2-7, Col. 9 line(s) 2-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because to have a database that is editable by a user to let the user change settings when necessary.

As to claim 16, Conklin teach wherein said method further comprises determining an urgency level for the incoming communication request (Col. 5 line(s) 56-63), and wherein said determining operates to determine the appropriate communication type for the incoming communication request, the access priority for the requestor (Col. 5 line(s) 56-63), the status of the recipient (Col. 3 line(s) 2-9, Col. 4 line(s) 14-16, 29-33) and the urgency level of the incoming communication recipient (Col. 5 line(s) 56-63). Conklin do not explicitly teach the rules being configurable. However, Smith teach the information being configurable (Col. 6 line(s) 2-7, Col. 9 line(s) 2-3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because to have a database that is editable by a user to let the user change settings when necessary.

As to claim 17, Conklin teach, wherein said method further comprises determining an urgency level for the incoming communication request (Col. 5 line(s) 56-63), and wherein said determining operates to determine the appropriate communication type for the incoming communication request, the access priority for the requestor (Col. 5 line(s) 56-63), and the urgency level of the incoming communication recipient (Col. 5 line(s) 56-63). Conklin do not explicitly teach the rules being configurable. However, Smith teach the information being configurable (Col. 6 line(s) 2-7, Col. 9 line(s) 2-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin et al. and Smith et al. to have a database that is editable by a user to let the user change settings when necessary.

As to claim 18, Conklin do not explicitly teach wherein the appropriate communication type is chosen from a plurality of communication types including a voice call with a mobile phone, a voice call with an office phone, a voice call with a home phone, a SMS message with a mobile phone, a SMS message with a PDA, a pager message with a mobile phone, a pager message with a PDA, an online chat, a voice mail with or without instant notification, an office fax, a home fax and an email. However, Smith teach multiple communication devices and methods (Col. 4 line(s) 49-54, Col. 5 line(s) 25-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because allowing for processing of messages and associating information for delivery to multiple type of messaging devices.

As to claim 19, Conklin teach wherein said method further comprises determining a status of the recipient (Col. 3 line(s) 2-9, Col. 4 line(s) 14-16, 29-33). Conklin et al. do not explicitly teach wherein said determining operates to determine the appropriate communication type for the incoming communication request based on the one or more configurable rules and based on one or more of the following factors: the time of day of the incoming communication request, a piece of information regarding the current activity of the recipient and the current location of recipient. However, Smith teach determining the communication type based on the time of day (Col. 9 line(s) 18-24). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because to specify when and where the recipient would like to receive messages to ensure the proper messages are forwarded/directed to the appropriate location.

As to claim 20, Conklin do not teach wherein said determining of the appropriate communication type learns to more intelligently identify the appropriate communication type. However, Smith teach the requestor sending a message in one format and translating it into the appropriate communication format (Col. 10 line(s) 54-55, 62-64). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because allowing for processing of messages and associating information for delivery to multiple type of messaging devices.

(See Next Supplemental Box)

Form PCT/ISA/237 (Supplemental Box) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. FCT/US 06/22015

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:
Box No. V --- Reasoned Statement
2. Citations and Explanations:

As to claim 22, Conklin do not teach wherein said method further comprises diverting the incoming communication request for the first communication type to a communication session of the appropriate communication type. However Smith teach the requestor sending a message in one format and translating it into multiple other communications formats (Col. 10 line(s) 54-55, 62-64). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because allowing for processing of messages and associating information for delivery to multiple type of messaging devices.

As to claim 24, Conklin do not teach wherein at least one attribute of the communication processing criteria is decided by the recipient, and wherein the plurality of communication modes includes at least three communication modes. However Smith teach a method of sending communications from a requestor to a recipient using at least three communications modes (Col. 4 Line(s) 49-54). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because allowing for processing of messages and associating information for delivery to multiple type of messaging devices.

As to claims 25 and 26, Conklin do not teach wherein the predetermined communication processing criteria depend on at least one configurable rule, and wherein the at least one configurable rule makes use of one or more of the following factors: the time of day of the incoming communication request, a piece of information regarding the current activity of the recipient, access priority for the requestor, status of the recipient, urgency level of the incoming communication request and the current location of recipient. However, Smith teach at least one of the communication processing criteria being on configurable rule (Col. 5 line(s) 5-7), wherein one of the factors makes use of the time of day (Col. 9 line(s) 18-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because to specify when and where the recipient would like to receive messages to ensure the proper messages are forwarded/directed to the appropriate location.

As to claim 27, Conklin teach wherein the predetermined communication processing criteria depend on a priority indication of the recipient (Col. 4 line(s) 9-16).

As to claim 33, Conklin do not explicitly teach wherein the requestor address is an email address. However, Smith teach a method of sending communications from a requestor to a recipient using various communications modes including email (Col. 4 Line(s) 49-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Conklin and Smith because allowing for processing of messages and associating information for delivery to multiple type of messaging devices.

Claims 1-3, 11-27, and 30-33 have industrial applicability as defined by PCT Article 33(4) because the subject matter claimed can be made or used in industry.

Form PCT/ISA/237 (Supplemental Box) (April 2007)



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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, MAIL DATE, DELIVERY MODE. Includes application details for IPVENTURE, INC. and examiner DOAN, KIET M.

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

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	11/452,115	CHEUNG ET AL.	
	Examiner	Art Unit	
	KIET DOAN	2617	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

- 1) Responsive to communication(s) filed on 12 June 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

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

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :10/08/08, 07/07/08, 05/22/08, 12/14/07, 12/12/07, 08/02/07, 03/23/07.

DETAILED ACTION

1. This Office action is response to Preliminary Amendment file on 09/26/2007.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

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

Claims 1-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is noted that “A computer –implemented” do not define any structural and functional interrelationships between computer program and other claimed elements of computer which permit the computer program’s functionality to be realized. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claims 1-22 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent¹ and recent Federal Circuit decisions² indicate that a statutory “process” under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. While the instant claim recites a series of steps or acts to be performed, the claim neither transforms underlying subject matter nor is positively tied to another statutory category

¹ *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

² *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008).

that accomplishes the claimed method steps, and therefore does not qualify as a statutory process.

Claim Rejections - 35 USC § 103

3. 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.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balasuriya (US 2003/0041048 A1) in view of Rodriguez et al. (US 2002/0067806 A1).

Consider **claims 1, 11, 12 and 19**. Balasuriya teaches a computer-implemented method to manage the communication of a user in view of a person trying to electronically convey a message to the user, the method comprising:

identifying the status of the user (Fig.3, element 310, teach determine ID who calling where call is coming from as read on status of the user);

identifying the identity of the person (Fig.3, element 310 teach determine ID who calling as read on identity of the person);

identifying the urgency of the message (Fig.3, element 320 teach call priority as read on urgency of the message);

determining the access priority of the person based on the person's identity and setting a process to manage the message using one or more rules, and in view of the status of the user, the access priority of the person and the urgency of the message (Abstract, Paragraphs [0026-0027], [0033-0037], Fig.3 and table 1, Illustrate

the level of access priority of the person based on the person's identity wherein the setting is set in table 1 to manage the message using one or more rules). Examiner notice Balasuriya also mentions routing incoming communication such as "message" see paragraph [0020]. However, to cure the limitation of "message" such that "person trying to electronically convey a **message** to the user".

In an analogous art, Rodriguez teaches "system and method for urgent phone message delivery", Paragraph [0012], [0014] teach the system receiving "message" and indicate whether message is urgent.

Therefore, it would have been obvious at the time that the invention was made to modify Balasuriya with Rodriguez's system such that identify the receiving message and determine the priority/urgent to allow access in order to allow the user answering or replying to the most important message when received.

Consider **claim 2**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the status of the user depends on the current activity or location of the user, or the current time, or the status of the user is defined by the user (Paragraph [0019] teaches location of the subscriber and time of the call).

Consider **claim 3**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the access priority of the person is defined by the user, or is set depending on

the user's reaction towards a prior message from the person (Paragraph [0026], table 1, [0034]).

Consider **claim 4**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the urgency of the message is set by the person (Table 1).

Consider **claim 5**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the method depends on the mode of communication of the message, and wherein the mode of communication is selected from the list of a mobile phone, an office phone, a home phone, a mobile SMS from a mobile phone or PDA, a pager from a mobile phone or PDA, a home/office SMS, mobile online chat, home online chat, a voice mail with/without instant notification, an office fax, a home fax, a mobile email, and an email (Paragraph [0014]).

Consider **claim 6**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the user receives the message through a handheld device, and wherein the status of the user is defined by the user using the handheld device (Paragraphs [0013-0014]).

Consider **claim 7**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the message is electronically conveyed based on Internet protocol through a website, and wherein though the method allows the user to receive the message, the person is not aware of the contact information of the user to prevent the person from directly accessing the user without going through the website, or the user is not aware of the contact information of the person to prevent the user from directly accessing the person without going through the website (Paragraphs [0015], [0020], [0040] teach user communicated through internet).

Consider **claim 8**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the message is electronically conveyed based on Internet protocol through a website, and wherein the defined access priority of the person is stored at the website, or is stored in a private database under the user's control (Paragraphs [0019], teach subscriber information that store database 36).

Consider **claim 9**. The combination of Balasuriya and Rodriguez teach a computer-implemented method as recited in claim 1. Further, Balasuriya teaches wherein the message is electronically conveyed based on Internet protocol through a website, wherein the website keeps an electronic calendar of the user, and wherein an appointment is automatically set for the user with the person in view of information in