

Amendments to the Claims:

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

Listing of Claims:

1. (Currently amended) An article for managing communication of a user, in view of ~~a first device~~ of a person trying to electronically convey a message ~~from the first device~~ to a ~~second device~~ of the user without the need to know contact information of the device of the user, the article comprising:

a non-transitory computer readable storage medium comprising a plurality of instructions, when executed by a server, result in the server:

receiving the message ~~conveyed from the first~~ a device of the person;

identifying an identity of the person trying to electronically convey the message;

~~identifying contact information of the person trying to electronically convey the message;~~

determining whether the user is available to receive the message;

sending information to the first device as to ~~whether the user is available~~ the availability of the user to receive the message; and

setting a process ~~for~~ to electronically convey the message from the device of the person to the device of the user through the contact information of the device of the user, using one or more rules, based on at least a current status associated with the user, a preference of the user, and an access priority associated with the person,

wherein even when the process involves transmitting the message to the device of the user through the contact information of the device of the user, the contact information of the device of the user is not provided to the device of the person to prevent the person from contacting the device of the user through the contact information, without via the server.

2. (Currently amended) An article as recited in claim 1,
wherein the message is conveyed from the ~~first~~ device of the person based on Internet protocol,
wherein the process allows the user to receive the message via an access identifier of the user,
wherein the process allows the message to be conveyed from the ~~first~~ device of the person via a set of modes of communication,
wherein the set of modes of communication includes at least instant message and voice call, and
wherein the user has different access identifiers for at least two of the modes in the set of modes.
3. (Currently amended) An article as recited in claim 1,
wherein the message conveyed from the ~~first~~ device of the person is a text message, and
wherein the process includes converting the text message to voice if the message is to be presented as a voice message by the ~~second~~ device of the user to the user, in view at least of the preference of the user.
4. (Currently amended) An article as recited in claim 1, wherein the process includes presenting at the ~~second~~ device of the user, the identity of the person.
5. (Original) An article as recited in claim 1 wherein the process includes determining a reply to the message in view of the current status of the user.

REMARKS

Applicants presented claims 1-5 for examination. In the above-identified Office Action, the Examiner has rejected all the claims. By this amendment, Applicants have amended (a) the specification, and (b) claims 1-4 to further clarify the subject matter regarded as the invention. Accordingly, claims 1-5 remain pending. Applicants respectfully request that the Examiner reconsider the application in light of the amendments and the remarks expressed herein.

Specification Amendment

The specification has been amended. Support can be found, for example, in the Drawings, the Brief Description of the Drawings, and the Detailed Description of the Invention in US Patent 7,116,976, which has been incorporated by reference into the above-identified patent application.

Double Patenting

Claim 1 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 11 of US Patent 9,204,268; claims 1, 8, 24, 39 and 53 of US Patent 8,744,407; claims 1, 10 and 17 of US Patent 7, 729,688; and claims 1, 2, 7 and 9 of US Patent 7,116,976. Applicants respectfully disagree.

Since Applicants have amended claim 1, it is respectfully requested that the Examiner reconsider and withdraw the rejection on the ground of double patenting.

103 Rejection

Under 35 U.S.C. 103(a), claims 1, 2, 4 and 5 were rejected as being unpatentable over Pepper et al. (US 5,930,700, hereinafter "Pepper") in view of Hayes-Roth (US 2005/0038690 A1); and claim 3 was rejected as being unpatentable over Pepper in view of Hayes-Roth and further in view of Davis et al. (US 2005/0020288 A, hereinafter "Davis"). Applicants respectfully disagree.

Pepper pertains to screening and directing calls. Pepper's system allows a subscriber to have his incoming telephone calls screened to identify calls of high importance to the subscribers. By entering schedule information into an appointment calendar, and by entering client's information into the name and telephone number database, the subscriber indicates how to be located so that important calls will reach him immediately. These databases also tell the system which clients are of high priority to the subscriber so that lower priority calls can be directed to a voice mail system for access at the subscriber's convenience or routed to an attendant for action.

As acknowledged in the Office Action, Pepper at least does not teach or suggest limitations similar to "sending information to the first device as to the availability of the user to receive the message". To remedy the deficiencies, the Office Action cited Hayes-Roth.

Hayes-Roth describes a hook-up assistant (HUA) capable of contacting all parties involved in an event to determine mutually agreeable dates, times, and arrange necessary devices, resources, and services, etc., to ensure all parties involved can actually participate in the event at the planned time and place.

Hayes-Roth at least does not teach or suggest setting a process to electronically convey a message from the device of the person to the device of the user through the contact information of the device of the user, using one or more rules, based on an access priority associated with the person.

Further, both Pepper and Hayes-Roth also at least do not teach or suggest "managing communication of a user, in view of a person trying to electronically convey a message to a device of the user without the need to know contact information of the device of the user"; and "even when the process involves transmitting the message to the device of the user through the contact information of the device of the user, the contact information of the device of the user is not provided to the device of the person to prevent the person from contacting the device of the user through the contact information, without via the server", as in Applicants' independent claim 1.

For at least the reasons set forth above, Applicants submit that independent claim 1 is patentable over Pepper and Hayes-Roth, alone or in any combination.

Claims 2, 4 and 5 depend from and add additional features to independent claim 1. Applicants submit that these dependent claims are patentable over Pepper and Hayes-Roth for at least the reasons discussed above with respect to claim 1.

As to claim 3, the Office Action acknowledged that both Pepper and Hayes-Roth do not teach or suggest “the message conveyed from the device of the person is a text message, and the process includes converting the text message to voice if the message is to be presented as a voice message by the device of the user to the user, in view at least of the preference of the user.” To remedy the deficiencies, the Office Action introduced Davis.

Even if combining Pepper, Hayes-Roth, and/or Davis were appropriate, which Applicants respectfully disagree, and even if the references were actually combinable, the above-noted serious deficiencies of Pepper and Hayes-Roth remain. The reliance on Davis for additional features in dependent claim 3 does not remedy the deficiencies of Pepper and Hayes-Roth noted above regarding the independent claim 1. Applicants submit that dependent claim 3 is patentable over Pepper, Hayes-Roth and/or Davis, singly or in any combination, for at least the reasons discussed above with respect to claim 1.

Further the independent or the dependent claims recite additional elements which when taken in the context of the claimed invention further patentably distinguish from Pepper, Hayes-Roth and Davis. The additional limitations recited in the independent claim or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from Pepper, Hayes-Roth, and Davis.

Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1-5 under 35 USC §103(a).

Applicants further note that the Office Action makes a number of other assertions against Applicants’ claimed invention. It should not be concluded that Applicants agree with or acquiesce to the Office Action’s stated position on these matters, even if Applicants do not address the Office Action’s stated position

REPLACEMENT SHEET

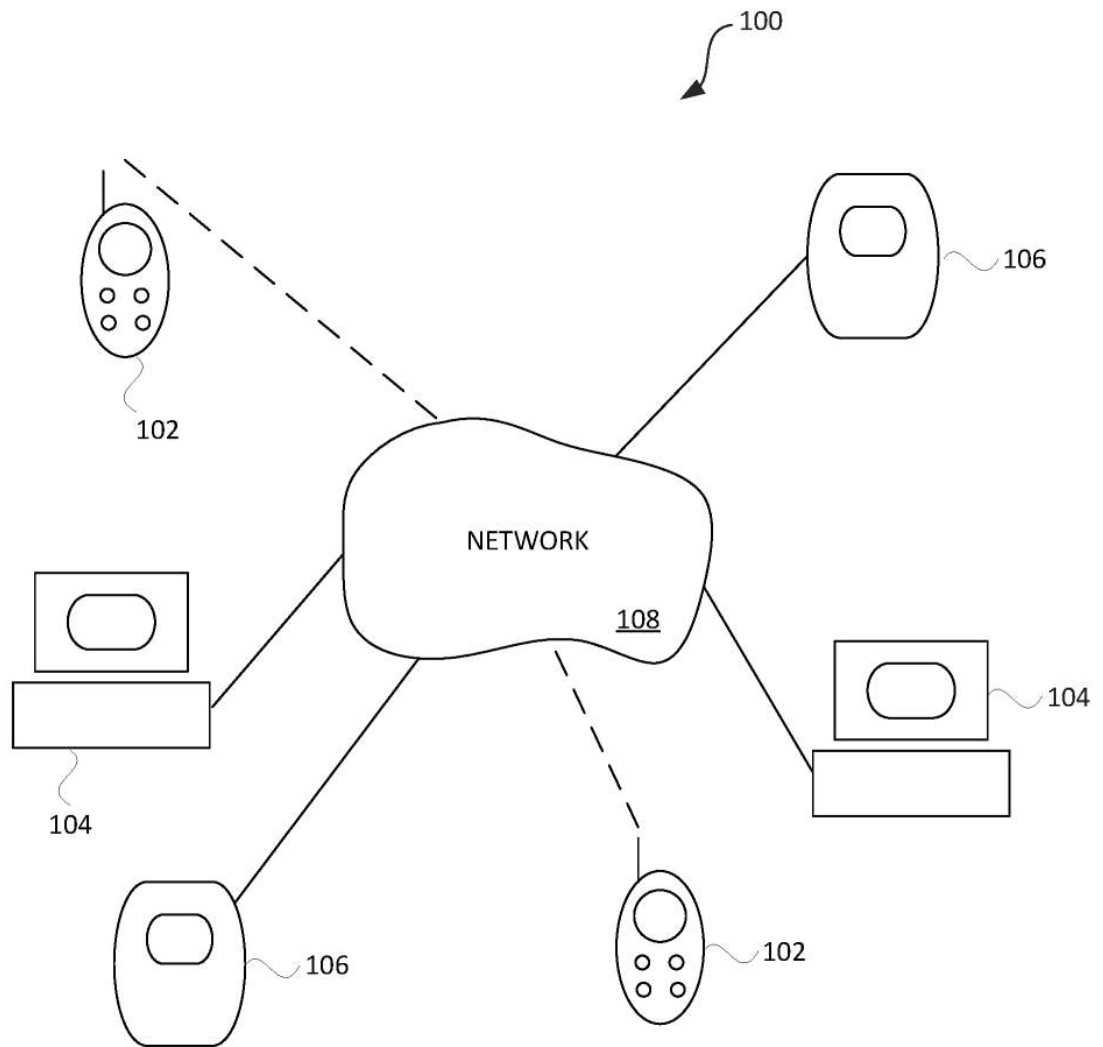


FIG. 6

REPLACEMENT SHEET

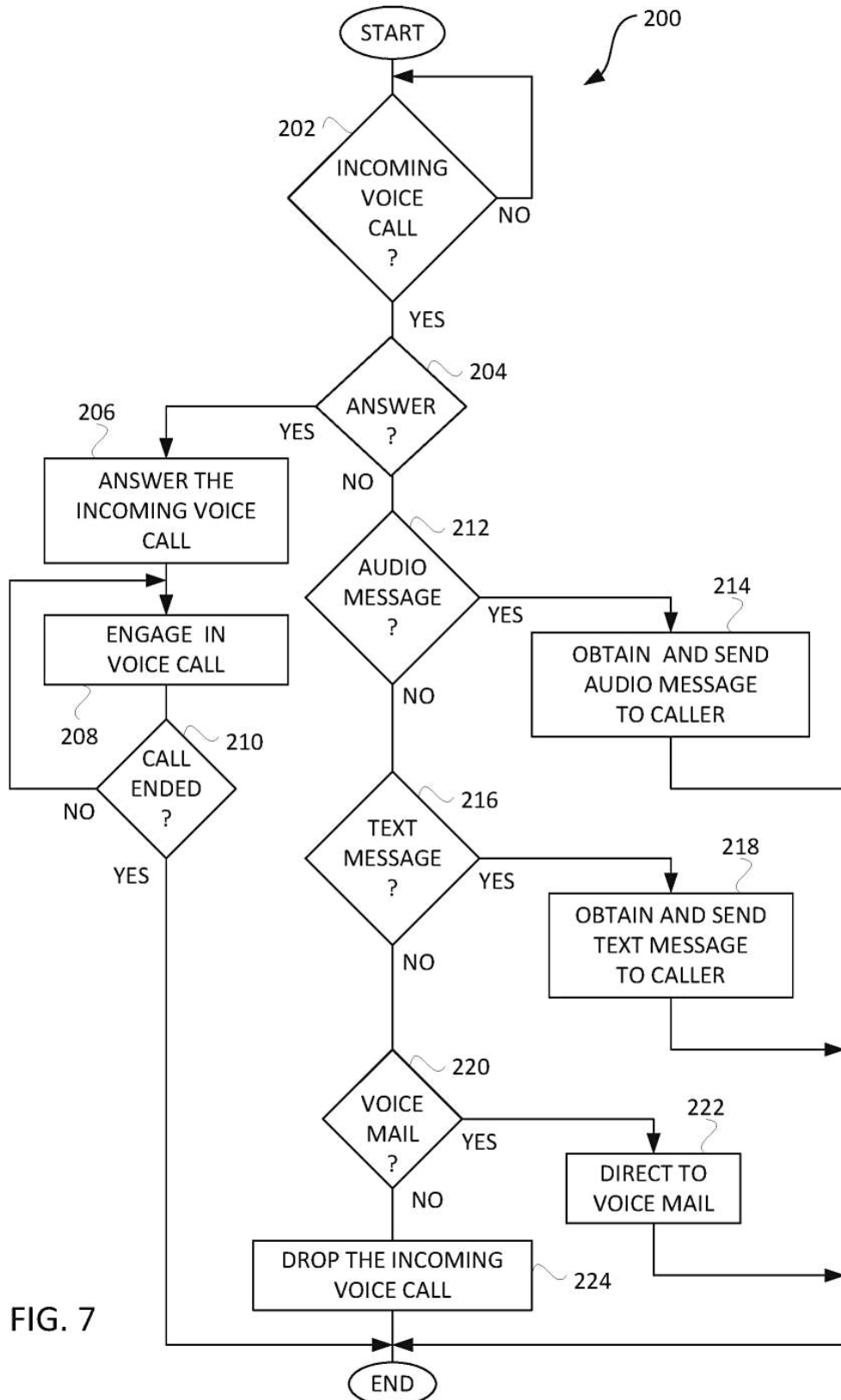


FIG. 7

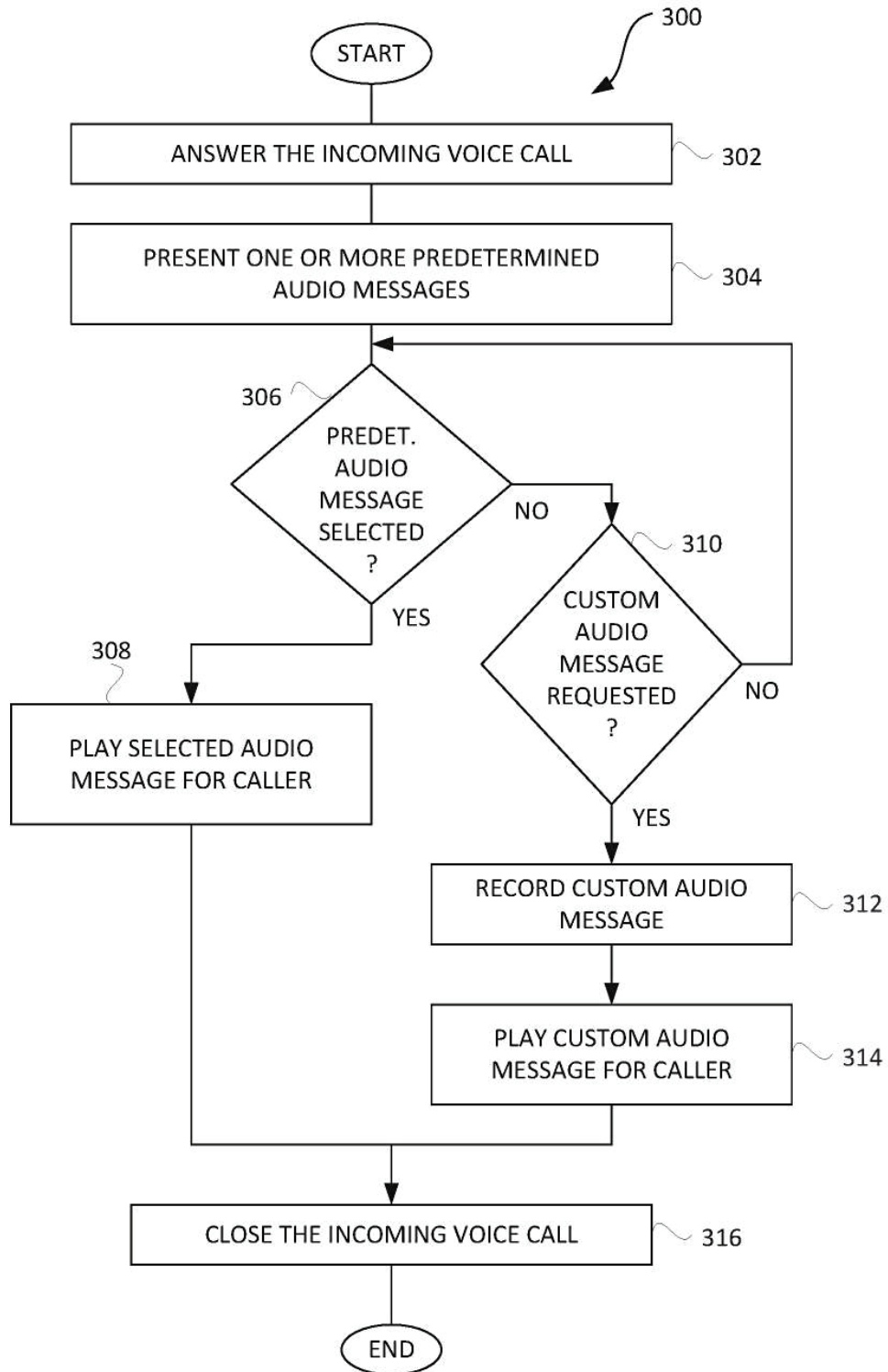


FIG. 8

NEW SHEET

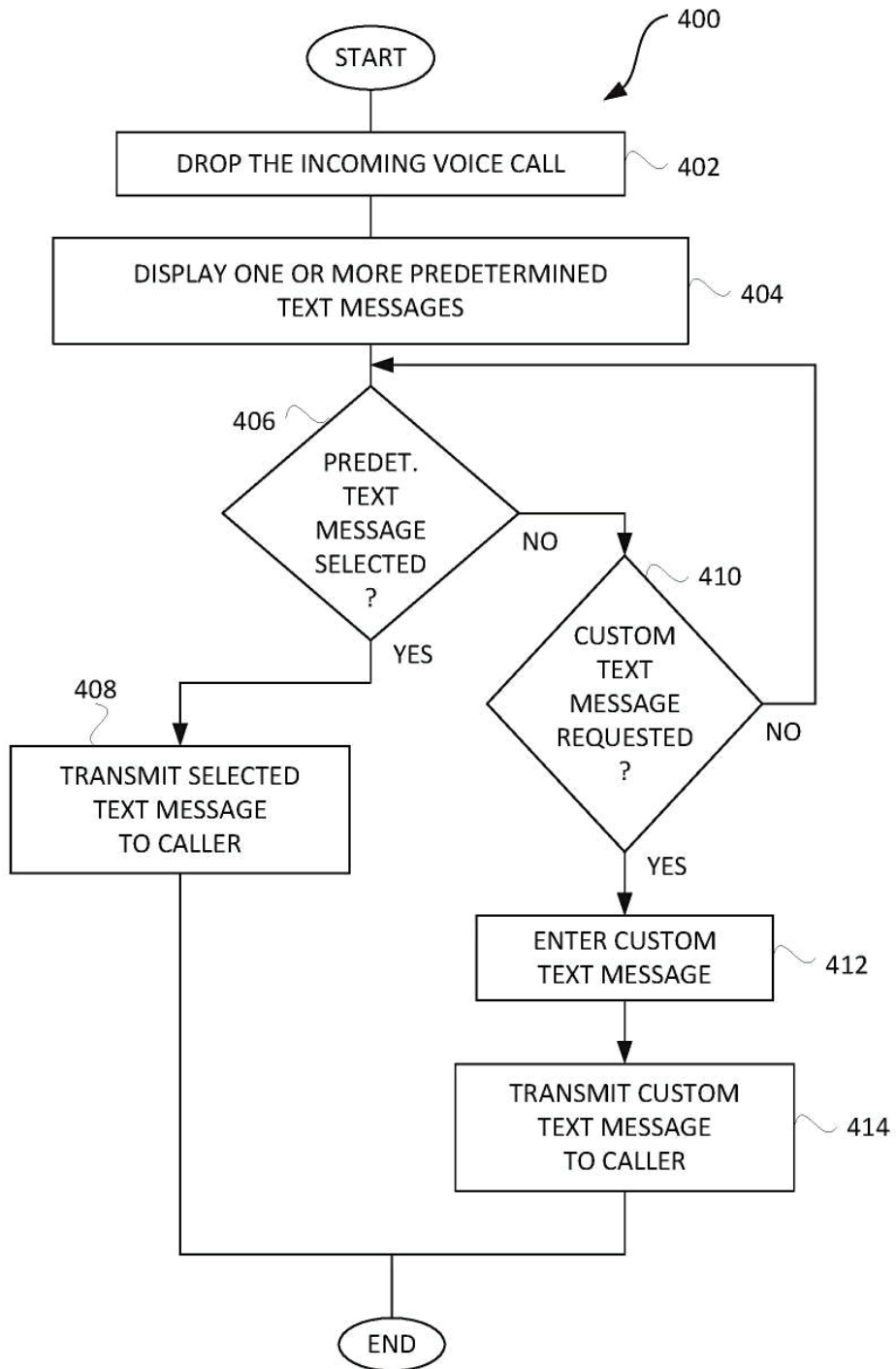


FIG. 9

NEW SHEET

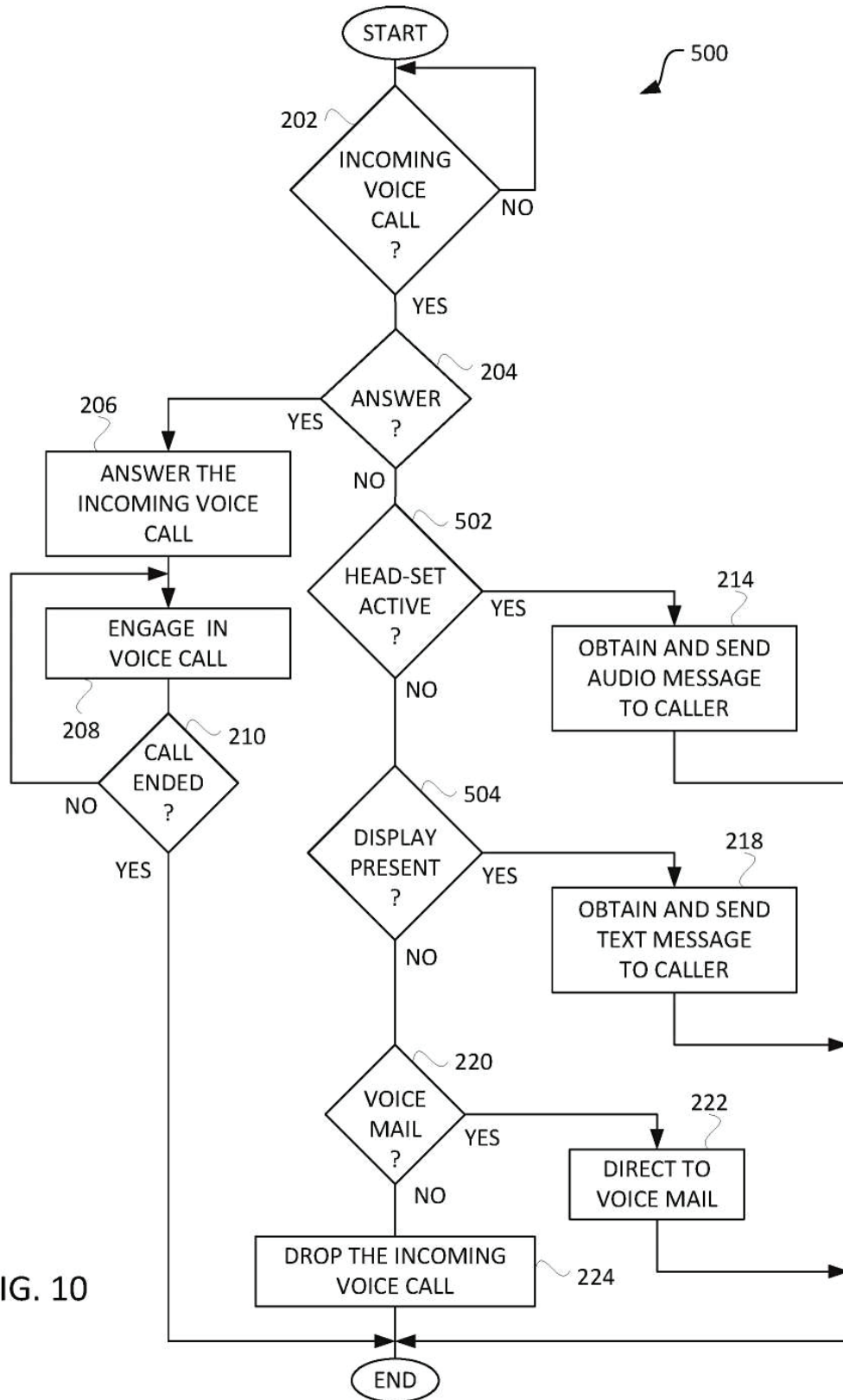


FIG. 10

NEW SHEET

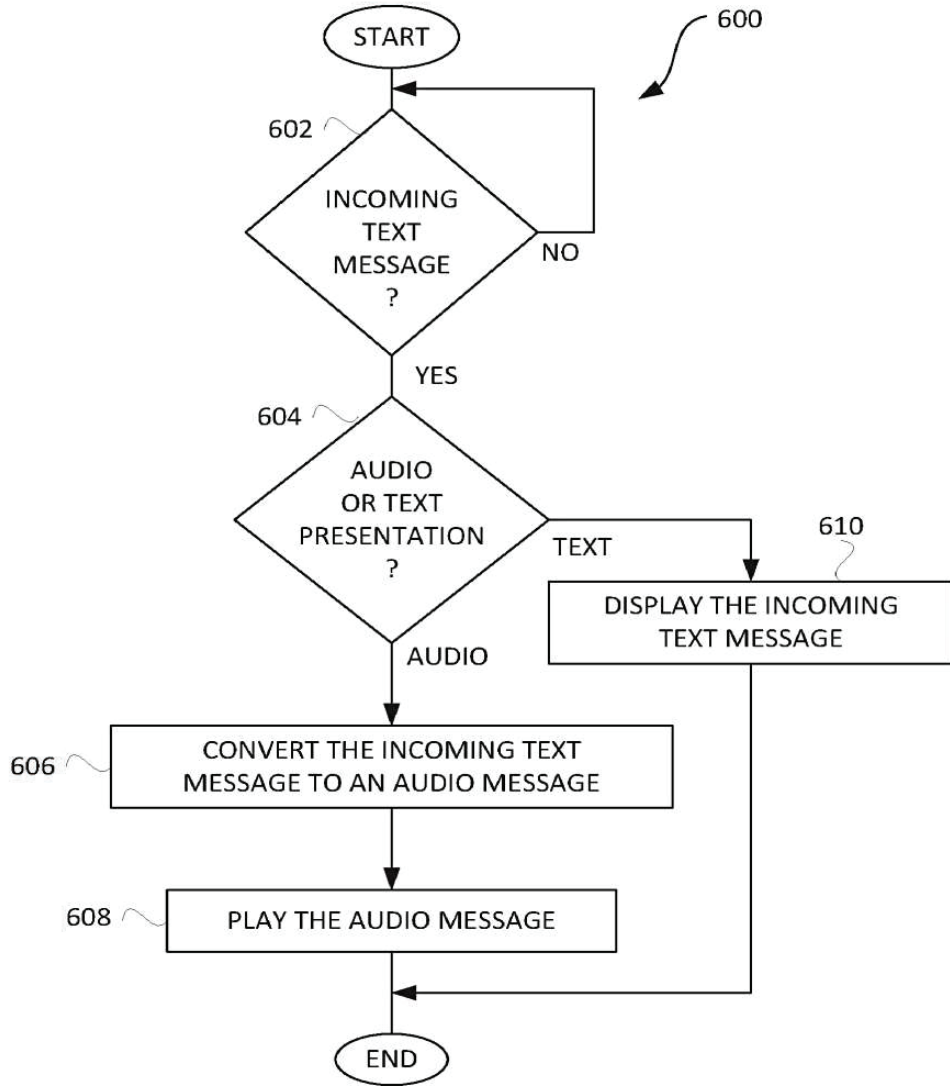


FIG. 11

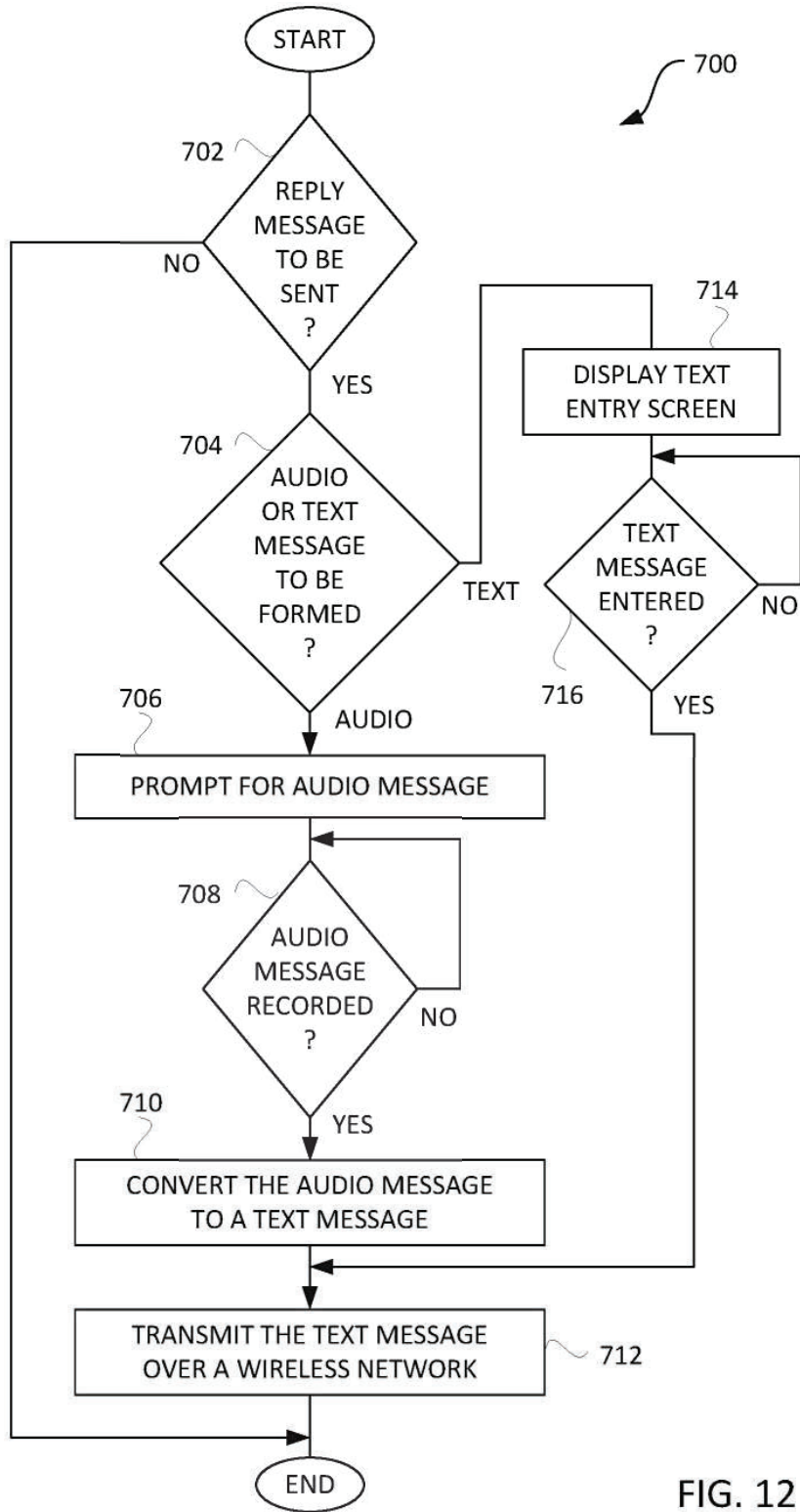


FIG. 12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: Cheung et al. Attorney Docket No.: IPVMCP02C3
Application No.: 14/922,344 Examiner: DOAN, KIET M.
Filed: October 26, 2015 Group: 2641
Title: SYSTEMS AND PROCESSES TO
MANAGE MULTIPLE MODES OF
COMMUNICATION

**INFORMATION DISCLOSURE STATEMENT
BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE
(37 CFR §§ 1.56 AND 1.97(c))**

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

Dear Sir:

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

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months of the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under §1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Appln. No. 14/922,344

1

Atty. Docket No. IPVMCP02C3

Accompanying this Information Disclosure Statement is

- a statement as specified in 37 CFR 1.97(e); or
 the fee set forth in 37 CFR 1.17(p).

Electronic Fee in payment of the Information Disclosure Statement Fee is provided herewith. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3874 (Order No. IPVMCP02C3).

Respectfully submitted,

/Peter P. Tong/

Peter P. Tong
Registration No: 35,757

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

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMCP02C3
	Application No.:	14/922,344
	Applicant	Cheung et al.
	Filing Date	October 26, 2015
	Group	2641
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2001/0014611 A1	Aug-01	Dufort			
	2.	2003/0065779 A1	Apr-03	Malik			
	3.	9,204,268 B2	Dec-15	Cheung et al.			
	4.						
	5.						
	6.						
	7.						
	8.						
	9.						
	10.						

Foreign Documents

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

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

A	
B	
C	
D	
E	
F	
G	
H	
I	

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.

Electronic Patent Application Fee Transmittal

Application Number:	14922344			
Filing Date:	26-Oct-2015			
Title of Invention:	SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION			
First Named Inventor/Applicant Name:	Kwok Wai Cheung			
Filer:	Peter P. Tong/Angela Nijim			
Attorney Docket Number:	IPVMCP02C3			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 1 month with \$0 paid	2251	1	100	100
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				190

Electronic Acknowledgement Receipt

EFS ID:	26575586
Application Number:	14922344
International Application Number:	
Confirmation Number:	9763
Title of Invention:	SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION
First Named Inventor/Applicant Name:	Kwok Wai Cheung
Customer Number:	34071
Filer:	Peter P. Tong
Filer Authorized By:	
Attorney Docket Number:	IPVMCP02C3
Receipt Date:	08-AUG-2016
Filing Date:	26-OCT-2015
Time Stamp:	17:28:19
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$190
RAM confirmation Number	080916INTEFSW17291200
Deposit Account	3759
Authorized User	Angela Nijim

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

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	IPVMCP02C3_AmdATrans_8-16.pdf	18567 0661be9752251a115042107839a878113b4933cb	no	1

Warnings:

Information:

2		IPVMCP02C3_AmdAwithRevDrawings_AsFiled_8-16.pdf	253819 d6acb439838d63714378e78b701fb676f2b3923	yes	45
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Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	38
Drawings-only black and white line drawings	39	45

Warnings:

Information:

3	Transmittal Letter	IPVMCP02C3_IDSTrans_8-16.pdf	22993 eb93738e70be7451f51907919708a0d6a0c541f5	no	2
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Warnings:

Information:

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Warnings:

Information:

This is not an USPTO supplied IDS fillable form

5	Fee Worksheet (SB06)	fee-info.pdf	32908 27efc2784f1770cc05ca16060d523cf5989f503a	no	2
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Warnings:

Information:	
Total Files Size (in bytes):	348893
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cheung et al.

Attorney Docket No.: IPVMCP02C3

Application No.: 14/922,344

Examiner: DOAN, KIET M.

Filed: October 26, 2015

Group: 2641

Title: SYSTEMS AND PROCESSES TO
MANAGE MULTIPLE MODES OF
COMMUNICATION

AMENDMENT A TRANSMITTAL

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

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	5	MINUS	20	00	x 40 =	x 80 =
Independent Claims	1	MINUS	3	00	x 210 =	x 420 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$	\$
Total					\$0.00	\$

- Applicant(s) hereby petition for a one - month extension(s) of time to respond to the aforementioned Office Action.
- Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-3874 (Order No. IPVMCP02C3).
- Any fees due are being paid electronically herewith.
- Please charge any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-3874 (Order No. IPVMCP02C3).

Respectfully submitted,

/Peter P. Tong/

Peter P. Tong
Reg. No. 35,757

Appln. No. 14/922,344

Atty. Docket No. IPVMCP02C3

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875			Application or Docket Number 14/922,344	Filing Date 10/26/2015	<input type="checkbox"/> To be Mailed
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO					
APPLICATION AS FILED – PART I					
(Column 1)		(Column 2)			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		

APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		
AMENDMENT	08/08/2016	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 5	Minus ** 20	= 0	X \$40 =	0
	Independent (37 CFR 1.16(h))	* 1	Minus *** 3	= 0	X \$210 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE	0

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

LIE
/RUTH LLOYD/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Rows include application details for IPVENTURE, INC. and administrative information like EXAMINER, ART UNIT, and MAIL DATE.

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.

DETAILED ACTION

The present application is being examined under the pre-AIA first to invent provisions.

This Office Action is in response to Applicant Remarks filed on 08/08/2016.

Claims 1-4 are amended.

Double Patenting

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

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

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

Claim 1 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 11 of US Patent 9,204,268 B2; over claims 1, 8, 24, 39 and 53 of US Patent 8,744,407 B2; over claims 1, 10 and 17 of US

Patent 7,729,688 B2 and over claims 1, 2, 7 and 9 of US Patent 7, 116,976 B2 Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 limitation are found in claims 1 and 11 of US Patent 9,204,268 B2; claims 1, 8, 24, 39 and 53 of US Patent 8,744,407 B2; claims 1, 10 and 17 of US Patent 7,729,688 B2 with obvious wording variation such as they all drawn to receiving the message conveyed from the first device; identifying an identity of the person trying to electronically convey the message; identifying contact information of the person trying to electronically convey the message.

It is important to note that claimed features recited in claims 1 and 11 of US Patent 9,204,268 B2; claims 1, 8, 24, 39 and 53 of US Patent 8,744,407 B2; claims 1, 10 and 17 of US Patent 7,729,688 B2 and claims 1, 2, 7 and 9 of US Patent 7, 116,976 B2 are more specific than claimed features recited in claim 1 of the instant application. Hence, the scope of claims of present application is now broader than US Patent 9,204,268 B2; US Patent 8,744,407 B2; US Patent 7,729,688 B2.

Many decisions support the fact that a broad or generic claim is obvious from a specific claim, i.e., an obvious variation. See *In re Van Ornum and Stang*, 214 USPQ 761 (CCPA 1982); *In re Goodman* (CA FC) 29 USPQ2d 2010 (12/3/1993); *In re Vogel and Vogel*; 164 USPQ 619 (CCPA 1970); *In re Berg* (CA FC) 46 USPQ2d 1226 (3/30/1998); *Eli Lilly and Co. v. Barr Laboratories Inc.*, 58 USPQ2d 1865 (CA FC 2001). It is well settled that omission of an element and its function in a combination is an obvious expedient if the remaining elements perform the same functions as before.

This notion is supported by *In re KARLSON*, 136 USPQ 184 (1963); *In re Nelson*, 95 USPQ 82 (CCPA 1952); and *In re Eliot*, 25 USPQ 111 (CCPA 1935).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/KIET DOAN/
Primary Examiner, Art Unit 2641

Search Notes 	Application/Control No. 14922344	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2641

CPC- SEARCHED		
Symbol	Date	Examiner
	4/25/2016	
H04M1/64		KD
G06Q10/109		KD

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
		4/25/2016	
455	445		KD
	463		KD
	411		KD
	412.1		KD
	412.2		KD
	466		KD
370	495		KD
	276		KD
	286		KD
	259		KD
	468		KD
	426		KD
455	414		KD
		9/30/2016	
	TD rejection		KD

SEARCH NOTES		
Search Notes	Date	Examiner
	4/25/2016	
Inventor search		KD

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SEARCH NOTES

Search Notes	Date	Examiner
Eats search		KD
(send\$3 transmit\$3) with schedul\$3 with receiv\$3 near5 (text message\$1) and text\$3 near2 voice\$1 and @ad<"20031010"		KD
(server (base near station)) with (send\$3 transmit\$3) with (info information message\$1 text) with (wife (girl near friend\$1) love\$2 boss (boy adj friend\$1) friend\$1 spouse) and text near1 voice		KD
(H04N21/458 OR G06Q10/109 OR G06Q10/1093 OR G06Q50/01 OR H04L2012/6481 OR H04L12/581 OR H04M1/663 OR H04M7/0033 OR H04M2203/2072 OR H04M1/64 OR H04M1/72513 OR H04M1/72566 OR H04M3/432 OR H04M3/565).CPC.		KD
(server (base near station) computer) with (send\$3 transmit\$3) with schedul\$3 with receiv\$3 near5 (text message\$1) and text near1 voice		KD
(send\$3 transmit\$3) with schedul\$3 with receiv\$3 near5 (text message\$1) and priority and schedul\$3 and (id identif\$3) with call\$3 and (id identif\$3) with (message\$1 text)		KD
	9/30/2016	
TD rejection		KD

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
		4/25/2016	
709	228		KD

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<i>Index of Claims</i> 	Application/Control No. 14922344	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2641

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	04/23/2016	09/30/2016						
	1	✓	✓						
	2	✓	✓						
	3	✓	✓						
	4	✓	✓						
	5	✓	✓						

**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
 (Submitted Only via EFS-Web)**

Application Number	14922344	Filing Date	2016-10-07	Docket Number (if applicable)	IPVMCP02C3	Art Unit	2641
First Named Inventor	KWOK WAI CHEUNG			Examiner Name	DOAN, KIET M.		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

Other _____

Enclosed

Amendment/Reply

Information Disclosure Statement (IDS)

Affidavit(s)/ Declaration(s)

Other _____

MISCELLANEOUS

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
 (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to
 Deposit Account No 503874

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

<input checked="" type="checkbox"/> Patent Practitioner Signature
Applicant Signature

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

Signature of Registered U.S. Patent Practitioner			
Signature	Peter P. Tong/	Date (YYYY-MM-DD)	2017-01-09
Name	Peter P. Tong	Registration Number	35757

This collection of information is required by 37 CFR 1.114. 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 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	14922344			
Filing Date:	26-Oct-2015			
Title of Invention:	SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION			
First Named Inventor/Applicant Name:	Kwok Wai Cheung			
Filer:	Peter P. Tong/Angela Nijim			
Attorney Docket Number:	IPVMCP02C3			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
RCE- 1st Request	2801	1	600	600
Total in USD (\$)				600

Electronic Acknowledgement Receipt

EFS ID:	28015679
Application Number:	14922344
International Application Number:	
Confirmation Number:	9763
Title of Invention:	SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION
First Named Inventor/Applicant Name:	Kwok Wai Cheung
Customer Number:	34071
Filer:	Peter P. Tong/Angela Nijim
Filer Authorized By:	Peter P. Tong
Attorney Docket Number:	IPVMCP02C3
Receipt Date:	09-JAN-2017
Filing Date:	26-OCT-2015
Time Stamp:	20:42:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$600
RAM confirmation Number	011017INTEFSW20444400
Deposit Account	503874
Authorized User	Angela Nijim

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:
37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	IPCMCP02C3_AmdBTrans_1-9-17.pdf	18706 e503a544382c352dab733dc3599396337621eecea	no	1
Warnings:					
Information:					
2	Response After Final Action	IPVMCP02C3_AmdB_AsFiled_1-9-17.pdf	40468 ef2ecf88a8eb777a9c9bed4a0d0fc7bda5aa31b0	no	7
Warnings:					
Information:					
3	Request for Continued Examination (RCE)	IPVMCP02C3_RCE_1-9-17.pdf	697613 2225af36131223220c667b98a0ad3b12684f6ef9	no	3
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30861 b5e38a340907418a5662fb54d97b022317e04180	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			787648		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cheung et al.

Attorney Docket No.: IPVMCP02C3

Application No.: 14/922,344

Examiner: DOAN, KIET M.

Filed: October 26, 2015

Group: 2641

Title: SYSTEMS AND PROCESSES TO
MANAGE MULTIPLE MODES OF
COMMUNICATION

AMENDMENT B TRANSMITTAL

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

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	10	MINUS	20	00	x 40 =	x 80 =
Independent Claims	2	MINUS	3	00	x 210 =	x 420 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$	\$
Total					\$0.00	\$

- Applicant(s) hereby petition for a ____ - month extension(s) of time to respond to the aforementioned Office Action.
- Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-3874 (Order No. IPVMCP02C3).
- Any fees due are being paid electronically herewith.
- Please charge any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-3874 (Order No. IPVMCP02C3).

Respectfully submitted,

/Peter P. Tong/

Peter P. Tong
Reg. No. 35,757

Appln. No. 14/922,344

Atty. Docket No. IPVMCP02C3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cheung et al. Attorney Docket No.: IPVMCP02C3

Application No.: 14/922,344 Examiner: DOAN, KIET M

Filed: October 26, 2015 Group: 2641

Title: SYSTEMS AND PROCESSES
TO MANAGE MULTIPLE MODES OF
COMMUNICATION

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted electronically to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 9, 2017.

Signed: _____/Angela D. Nijim/ Printed Name: _____Angela D. Nijim_____

AMENDMENT B

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

Dear Sir:

In response to the Final Office Action dated October 7, 2016, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Amendments to the Claims:

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

Listing of Claims:

1. (Currently amended) An article for managing communication of a user, in view of a person trying to electronically convey a message to a device of the user without the need to know contact information of the device of the user, the article comprising:

a non-transitory computer readable storage medium comprising a plurality of instructions, when executed by a server, result in the server:

receiving the message from a device of the person;

identifying an identity of the person trying to electronically convey the message;

determining whether the user is available to receive the message;

sending information to the ~~first~~-device of the person as to the availability of the user to receive the message; and

setting a process to electronically convey the message from the device of the person to the device of the user through the contact information of the device of the user, using one or more rules, based on at least a current status associated with the user, a preference of the user, and an access priority associated with the person,

wherein even when the process involves transmitting the message to the device of the user through the contact information of the device of the user, the contact information of the device of the user is not provided to the device of the person to prevent the person from contacting the device of the user through the contact information, without via the server.

2. (Previously presented) An article as recited in claim 1,

wherein the message is conveyed from the device of the person based on Internet protocol,

wherein the process allows the user to receive the message via an access identifier of the user,

wherein the process allows the message to be conveyed from the device of the person via a set of modes of communication,

wherein the set of modes of communication includes at least instant message and voice call, and

wherein the user has different access identifiers for at least two of the modes in the set of modes.

3. (Cancelled)

4. (Previously presented) An article as recited in claim 1, wherein the process includes presenting at the device of the user, the identity of the person.

5. (Original) An article as recited in claim 1 wherein the process includes determining a reply to the message in view of the current status of the user.

6. (New) An article for managing communication of a user, in view of a person trying to electronically deliver and present a message to a device of the user, the article comprising:

a non-transitory computer readable storage medium comprising a plurality of instructions, when executed by a server, result in the server:

receiving the message from a device of the person;

identifying an identity of the person trying to electronically deliver and present the message;

determining information regarding the availability of the user to receive the message;

sending to the device of the person, the information regarding the availability of the user to receive the message; and

setting a process to electronically deliver and present the message from the device of the person to the device of the user through contact

information of the device of the user, using one or more rules, based on at least an access priority associated with the person,

wherein even when the process involves delivering and presenting the message to the device of the user through the contact information of the device of the user, the contact information of the device of the user is not provided to the device of the person, and the message is delivered from the device of the person at least based on Internet protocol,

wherein the process allows the message to be delivered from the device of the person via a selected mode of communication from a plurality of different modes of communication, and

wherein the plurality of different modes of communication include at least text message and voice call.

7. (New) An article as recited in claim 6, wherein the message from the device of the person is a text message.

8. (New) An article as recited in claim 6, wherein the contact information of the device of the user is a phone number of the user.

9. (New) An article as recited in claim 6, wherein the process to electronically deliver and present the message from the device of the person to the device of the user is also based on a previously-established communication preference.

10. (New) An article as recited in claim 6, wherein the process to electronically deliver and present the message from the device of the person to the device of the user is also based on an activity of the user.

11. (New) An article as recited in claim 6,
wherein the process to electronically deliver and present the message from the device of the person to the device of the user also depends on a contact information of the device of the person, and

wherein even when the process involves delivering and presenting the message to the device of the user, the contact information of the device of the person is not provided to the device of the user.

REMARKS

Applicants previously presented claims 1 through 5 for examination. In the above-identified Office Action, the Examiner has rejected all the claims. By this amendment, Applicants have amended claim 1 to further clarify the subject matter regarded as the invention, cancelled claim 3 without prejudice or disclaimer of the embodiments defined therein, and have added claims 6-11. Accordingly, claims 1, 2, and 4-11 are pending. Applicants respectfully request that the Examiner reconsider the application in light of the amendments and the remarks expressed herein.

Double patenting

Claim 1 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 11 of U.S. Patent No. 9,204,268; over claims 1, 8, 24, 39 and 53 of US Patent 8,744,407; over claims 1, 10 and 17 of US 7,729,688 B2; and over claims 1, 2, 7 and 9 of US Patent 7,116,976. Applicants respectfully disagree. Particularly, claim 1 should not be rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 7 and 9 of US Patent 7,116,976. However, to expedite prosecution, Applicants have submitted a terminal disclaimer based on US Patent 9,204,268; US Patent 8,744,407; and US 7,729,688, to obviate the rejection. Accordingly, it is respectfully requested that the Examiner reconsider and withdraw the rejection on the ground of double patenting.

Applicants further note that the Office Action makes a number of other assertions against Applicants' claimed invention, such as certain limitations are found in certain claims, and certain limitations are being more specific than certain claimed features. It should not be concluded that Applicants agree with or acquiesce to the Office Action's stated position on these matters, even if Applicants do not address the Office Action's stated position directly. Rather, in general, Applicants do not agree with the Office Action's stated positions regarding these issues. However, since it is believed that Applicants' position stated above

overcomes the Office Action's rejections, at this time Applicants do not feel the need to address the Office Action's other stated positions beyond the position addressed above. Nonetheless, Applicants reserve the right to address such positions of the Office Action at a later time.

Summary

In view of the foregoing, it is respectfully requested that all outstanding rejections be reconsidered and withdrawn. Reconsideration of the application and an early Notice of Allowance is earnestly solicited. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

Respectfully submitted,

5150 El Camino Real
Building A, Suite 22
Los Altos, CA 94022
(650) 903-9200 ext 102

By: /Peter P. Tong/
Peter P. Tong
Registration No.: 35,757