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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/452,115	06/12/2006	Kwok Wai Cheung	IPVMCP02	1743
34071	7590	07/27/2009	EXAMINER	
IPVENTURE, INC. 5150 EL CAMINO REAL SUITE A-22 LOS ALTOS, CA 94022			DOAN, KIET M	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			07/27/2009	PAPER

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 30 April 2009.
- 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) 1-11 and 23-33 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 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.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) 1-11 and 23-33 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) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

1. This Office action is response to applicant's Remarks file on 04/30/2009
Claims 1-11 are amended.
Claims 12-22 are cancelled.
Claims 23-33 are new.

Response to Arguments

2. Applicant's arguments regarding claims 1-11 in 101 Rejection have been fully considered but they are not persuasive.

In response to applicant's argument that the "Computer-Implement is tied to a storage device and the storage device is in a personal communication apparatus.

The examiner respectfully disagrees and maintain 101 rejection non-status subject matter base on claims recited "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". Yet there is no empirical definition as to the "storage" or "medium" type(s)

The USPTO's position is that the specification must empirically define the bounds of what the "computer-implemented method..." can be and must not include language such as "signals, carrier wave or transmission media.

Claim Rejections - 35 USC § 101

3. 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 1-11 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim recites "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". Yet there is no empirical definition as to the "storage" type(s)

4. Applicant's arguments with respect to claims 1-11 and new claims 23-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. 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.

6. Claims 1-11 and 23-28 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US 6,819,757 B1) in view of Pepper et al. (US 5,930,700).

Consider **claims 1, 23 and 32**. Cook 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:

receiving, by a network-based portal, the message (Col.2, Lines 14-15, Col.4, lines 4-7 teach portal receive message):

Identifying, by the network-base portal, the identify of the person (Col.2, lines 17-18 teach the message included name and address as read on identify of the person).

Cook fails to explicitly teach

Identify, by the network-base portal, the urgency of the message;

requesting, by the network-base portal, information from at least a storage device, to determine an access priority of the person base on the person's identity, and to determine a status of the user; and

managing, by the network-base portal, 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,

wherein the access priority of the person is selected from a plurality of levels and is pre-stored in the storage device,

wherein the user can restrict the network-base portal from getting the information from the storage device, and

wherein the storage device is in a personal communication apparatus of the user.

In an analogous art, **Pepper teaches**

Identify, by the network-base portal, the urgency of the message (Col.12, lines 7-13, Fig.12B, No.1220 teach determine the priority of the call as read on urgency of the message);

requesting, by the network-base portal, information from at least a storage device, to determine an access priority of the person base on the person's identity, and to determine a status of the user (Col. 12. Lines15-37, Fig.12B Illustrate and describe);
and

managing, by the network-base portal, 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 (Fig.12B, No.1224 and 1228 as view of the status of the user and access priority of the person)

wherein the access priority of the person is selected from a plurality of levels and is pre-stored in the storage device (Col.8, lines 60-67, Col. 9, lines 1-10, Col.12, lines 45-53, Fig.12b, No.1233),

wherein the user can restrict the network-base portal from getting the information from the storage device, and

wherein the storage device is in a personal communication apparatus of the user (Col.5, lines 29-35, Col.9, lines 5-35 Fig.7 and 8 show the user can selecting the level of priority and what call and what time when received call, the call should be delivery to base on the information store on the DateBook 900 and PhoneBook 800).

Therefore, it would have been obvious at the time that the invention was made to modify Cook with Pepper's system such that the network-base portal identify the receiving message and determine the priority/urgent of the message in order to allow the user properly answering and/or replying message when received and without disturbing or interrupted during business and/or meeting.

Consider **claims 2 and 31**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further, Pepper teaches wherein the network-base portion includes at least one server (Col.2, line(s) 3, Fig.1, No.107).

Consider **claim 3**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches wherein the access priority of the person is selected by the user (Col.9, line s1-10, Col.12, lines 15-34, Fig.12B, No.1222 and 1226 and 1233 teach level priority threshold as read on the access priority of the person is selected by the user).

Consider **claims 4 and 24**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches wherein the access priority of the person depends on the user's prior reaction towards at least one prior message from the person (Fig.12B, No.1222, 1226 and 1236).

Consider **claims 5, 25 and 33**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 4, further comprising Pepper teaches asking the user if the user desires to set access priority of the person to a certain level based on the user's prior reaction towards the person; and setting the access priority of the person to the certain level upon an affirmative response from the user (Col.12, lines 7-41, Fig.12B, Illustrate and described the performing of determine level priority of the caller/person).

Consider **claim 6**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches wherein the user receives the message through the personal communication apparatus, and wherein the status of the user is defined by the user using the personal communication apparatus (Col. 3, lines 48-51, Col. 5, lines 28-42).

Consider **claims 7 and 26**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches 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 sending message to the personal communication apparatus of the user without going through the network-base portal (Col. 5, lines 1-19).

Consider **claims 8 and 27**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches wherein though the method allows the user to receive the message, the user is not aware of contact information of the person to prevent the user from directly contacting the person without going through the network-base portal (Col. 5, lines 1-19, lines 28-42).

Consider **claims 9 and 28**. The combination of Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches, wherein

the portal access an electronic calendar of the user, and wherein an appointment is automatically set for the user with the person in view of information in the calendar (Col.5, lines 1-5)

Consider **claim 10**. The combination of teach Cook and Pepper teach a computer-implemented method as recited in claim 1, further Pepper teaches wherein the method further comprised verifying the identify of the person (Col. 8, lines 60-65).

Consider **claims 11 and 30**. The combination of teach Cook and Pepper a computer-implemented method as recited in claim 1, further Pepper teaches wherein the personal communication is a cellular phone (Col. 3, line 51, Fig.3 , No.200)

7. Claims 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US 6,819,757 B1) in view of Pepper et al. (US 5,930,700) and further view of Austin et al. (US 2004/0024882 A1).

Consider **claim 29**. The combination of teach Cook and Pepper a personal communication apparatus as recited in claim 23, but **is silent on** wherein the identity of the person is verified base on the person's public key digital certificate.

In an analogous art, **Austin teaches** wherein the identity of the person is verified base on the person's public key digital certificate (Paragraphs [0028-0029], [0032-0033] teach public key).

Therefore, it would have been obvious at the time that the invention was made to modify Cook and Pepper with Austin's system such that identity of the person is verified base on the person's public key digital certificate in order to provide safe and security during communication.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Anuff et al. (US 6,327,628 B1) teach portal server that provide connection access level.

2. Thorsteinsson et al. (US 2003/0105854 A1) teach portal identify mobile device.

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

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

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 8am - 5pm.

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/
Examiner, Art Unit 2617

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617

Notice of References Cited	Application/Control No. 11/452,115	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.	
	Examiner KIET DOAN	Art Unit 2617	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-5,930,700	07-1999	Pepper et al.	455/435.3
*	B US-6,819,757	11-2004	Cook et al.	379/265.09
*	C US-2004/0024882	02-2004	Austin et al.	709/227
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

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

Index of Claims 	Application/Control No. 11452115	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2617

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	01/22/2009	07/17/2009						
	1	✓	✓						
	2	✓	✓						
	3	✓	✓						
	4	✓	✓						
	5	✓	✓						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
	9	✓	✓						
	10	✓	✓						
	11	✓	✓						
	12	✓	-						
	13	✓	-						
	14	✓	-						
	15	✓	-						
	16	✓	-						
	17	✓	-						
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	23		✓						
	24		✓						
	25		✓						
	26		✓						
	27		✓						
	28		✓						
	29		✓						
	30		✓						
	31		✓						
	32		✓						
	33		✓						

Search Notes 	Application/Control No. 11452115	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
709	206	1/23/09	KD
	247		KD
455	418		KD
		7/21/09	
455	435.3		KD
379	265.09		KD
709	227		KD

SEARCH NOTES		
Search Notes	Date	Examiner
@ad<"20031111" and (incom\$3 receiv\$3) near1 message\$1 and (id identif\$4) near1 message\$1 and determ\$4 near3 (urgenc\$3 priority vip boss prio\$5) near2 message\$1 and internet	1/23/09	KD
@ad<"20031111" and incom\$3 near call\$3 and (id identif\$4) and (urgenc\$3 priority vip boss) and access same priority and (call message\$1) near2 (urgenc\$2 vip boss)		KD
	7/21/09	
@ad<"20030101" and network near portal\$1 and 455/\$.ccls.		KD
@ad<"20030101" and portal near2 (id identif\$4 identity verif\$4) near2 (cal\$3 message\$1) and public near key same digital		KD
Update East search		KD

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	121	@ad<"20030101" and portal near2 (id identif\$4 identity verif\$4) and public near key same digital	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 23:57
L3	4	@ad<"20030101" and portal near2 (id identif\$4 identity verif\$4) near2 (cal\$3 message\$1) and public near key same digital	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 23:57
S1	0	@ad<"20030101" and portal with receiv\$4 with (identif\$4 level) with message\$1 and (plurality multiple) near2 level\$1 near2 access	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:27
S2	0	@ad<"20030101" and portal same receiv\$4 same (identif\$4 level) same message\$1 and (plurality multiple) near2 level\$1 near2 access	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:27
S3	14	@ad<"20030101" and portal same receiv\$4 same (identif\$4 level) same message\$1 and (plurality multiple) and level\$1 near2 access	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:27
S4	14	@ad<"20030101" and portal same receiv\$4 same (identif\$4 level) same message\$1 and (plurality multiple) and level\$1 near2 access and portal	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:30
S5	168	@ad<"20030101" and portal with (identif\$4 level) with (access message\$1) and level\$1 near2 access and portal	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:39

S6	0	S5 and "455"/\$.ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:40
S7	0	@ad< "20030101" and portal with (identif\$4 level) with (access message\$1) and level\$1 near2 access and portal and stor\$4 and request \$4 with (information identi\$6) and restrick	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:42
S8	148	@ad< "20030101" and portal with (identif\$4 level) with (access message\$1) and level\$1 near2 access and portal and stor\$4 and request \$4 with (information identi\$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:42
S9	122	@ad< "20030101" and portal with (identif\$4 level) with (access message\$1) and level\$1 near2 access and portal and request\$4 with (information identi\$6) with stor\$4	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/16 22:45
S10	21	("20020104018" "5754755" "5819271" "5870542" "5894554" "5907837" "5970143" "5974445" "6014137" "6014638" "6026433" "6065120" "6088451" "6112192" "6128663" "6134548" "6161126" "6185614" "6249873" "6327628" "6460084"). PN.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/16 23:01
S11	1	"7107012".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/16 23:24
S12	1	"7085253".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/16 23:25
S13	1	"6463462".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/16 23:45
S14	1	"6636888".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/16 23:46
S15	2	11/452115	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/17 09:14

S16	1	"20020019784"	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/17 10:27
S17	921	@ad<"20030101" and portal and (identif\$4 level) near2 (access message\$1) and ((level \$1 near2 access) priorit \$3) and portal and stor \$4 near1 (information identi\$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 10:33
S18	263	@ad<"20030101" and portal and (identif\$4 level) near2 (access message\$1) and ((level \$1 near2 access) priorit \$3) and stor\$4 near1 (information identi\$6) and restrict\$3 and confident\$7 and (calendar\$1 schedul\$4) and (id identi\$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 10:37
S19	1	S18 and "709"/\$.ccls. and "719"/\$.ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 10:39
S20	84	S18 and "709"/\$.ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 10:40
S21	0	@ad<"20030101" and portal and (identif\$4 level) near2 (access message\$1) and ((level \$1 near2 access) priorit \$3) and portal same stor \$4 near1 (information identi\$6) and restrict\$3 and confident\$7 and portal same (calendar\$1 schedul\$4) same(id identi \$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 10:58
S22	2	"6463462".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 11:45
S23	0	"67376434".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 11:47
S24	2	"7376434".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 11:47

S25	139	@ad<"20030101" and portal and status near2 (user\$1 person) and (id identif\$4) near2 (user\$1 person) and (urgenc\$3 level priority) near2 (access message\$1)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:04
S26	57	S25 and (restrict\$3 limit \$3) near2 (access message\$1)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:06
S27	252	@ad<"20030101" and portal same (id identif\$4 identity) same access and (level priorit\$4) near2 (access message \$1)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:24
S28	6	S27 and select\$3 with (plurality multiple) with level\$1 with access	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:30
S29	132	@ad<"20030101" and portal with (id identif\$4 identity verif\$4) with (caller users person subscriber) with access and (level priorit\$4) near2 (access message \$1)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:34
S30	132	S29 and portal\$1	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:35
S31	131	@ad<"20030101" and portal with (id identif\$4 identity verif\$4) with (caller users person subscriber) with access and level near2 access	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:37
S32	131	S31 and portal\$1	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:37
S33	148	@ad<"20030101" and portal and (id identif\$4 identity verif\$4) near1 (caller users person subscriber) and stor\$4 same level near2 access	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:40
S34	444	@ad<"20030101" and portal and "455"/\$.cls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:46

S35	183	@ad<"20030101" and portal and (id identif\$4 identity verif\$4) near1 (call\$3 user\$1 person\$1 subscriber\$1) and "455"/\$. ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:46
S36	174	@ad<"20030101" and portal and (id identif\$4 identity verif\$4) near1 (call\$3 user\$1 person\$1 subscriber\$1) and access and stor\$4 and "455"/\$. ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:47
S37	127	@ad<"20030101" and portal and (id identif\$4 identity verif\$4) near1 (call\$3 user\$1 person\$1 subscriber\$1) and access and stor\$4 and (priori\$4 auth\$8) and "455"/\$. ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 12:48
S38	165	@ad<"20030101" and portal and (id identif\$4 identity verif\$4) near1 (call\$3 user\$1 person\$1 subscriber\$1) and access and stor\$4 with information and "455"/\$. ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 15:13
S39	17	S38 and set\$3 near1 (access priority)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/17 15:14
S40	1	"7116976".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 09:47
S41	11	("20030103600" "20030129968" "20030232629" "20050071253" "5548636" "5758079" "6119022" "6577859" "6801793" "7010288" "7043261").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 10:12
S42	112	@ad<"20030101" and portal with (id identif\$4 identity verif\$4) with message\$1	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 10:36
S43	11	S42 and access near1 (priority auth\$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 10:41

S44	25	S42 and ((set\$3 adj up) set\$4 restrick\$3) with (access auth\$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:31
S45	774	@ad<"20030101" and portal with (id identif\$4 identity verif\$4) with (message\$1 status user \$1) and portal\$1	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:37
S46	122	S45 and portal with access near1 (priority auth\$9) and access with (level differen\$3)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:38
S47	2	"7111044".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:51
S48	2	"7072452".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:53
S49	2	"7027842".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:54
S50	3	"7010332".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:54
S51	2	"6978136".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:56
S52	2	"6816578".pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 11:59
S53	11	@ad<"20030101" and (server (base near station)) with (id identif \$4 identity verif\$4) with (important prior\$5) with message\$1 and (server (base near station)) with determ\$6 with access with (prior\$4 auth\$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:04
S54	0	@ad<"20030101" and portal\$1 with (identif\$4 verif\$4) with (important prior\$5) and portal\$1 with determ\$6 with access with (prior\$4 auth \$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:14

S55	1	@ad<"20030101" and portal\$1 with (identif\$4 verif\$4) with message\$1 and portal\$1 with determ\$6 with access with (prior\$4 auth\$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:14
S56	4	@ad<"20030101" and portal\$1 with (identif\$4 verif\$4) with (text\$4 message\$1) and portal\$1 with determ\$6 with (prior\$4 auth\$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:16
S57	14	@ad<"20030101" and network near1 portal\$1 and (identif\$4 verif\$4) with (text\$4 message\$1) and determ\$6 with (prior\$4 auth\$9)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:26
S58	9	("20020059402" "5924026" "6237035" "6336137" "6421714" "6473097" "6512754" "6523062" "6563800"). PN.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 12:32
S59	442	@ad<"20030101" and network near portal\$1	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:34
S60	40	S59 and "455"/\$.ccls.	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 12:34
S61	23	@ad<"20030101" and portal near2 (id identif\$4 identity verif\$4) near call\$4	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2009/07/20 13:01
S62	6	("20020165784" "20030033356" "6459788" "6473505" "6570963" "6690664"). PN.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 15:20
S63	1	"5930700".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 15:23
S64	1	"20030041048"	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 15:25
S65	1	"20020067806"	US-PGPUB; USPAT; USOCR	OR	ON	2009/07/20 15:27

7/21/09 12:20:21 AM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: CHEUNG et al.

Attorney Docket No.: IPVMCP02

Application No.: 11/452,115

Examiner: DOAN, KIET M

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 transmitted via facsimile to: Commissioner for Patents, Alexandria, VA 22313-1450 on September 17, 2009.

Signed: Patricia Tate
Printed Name: Patricia Tate

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 CFR §1.114)**

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

This is a Request for Continued Examination (RCE) of the above-identified application.

1. Submission required under 37 C.F.R. §1.114:

- a. Previously submitted
 - i. Consider the amendment/reply under 37 C.F.R. §1.116 previously filed on _____. (Any unentered amendment referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - iii. Other _____.
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit/Declaration
 - iii. Information Disclosure Statement with Form PTO-1449
 Copies of IDS Citations
 - iv. Other _____.

Appn. No. 11/452,115

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01 FC:2801 405.00 OP
Atty. Docket No. IPVMCP02

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2. **Fees:** (The RCE fee is required at the time the RCE is filed.)

Fee Calculation (37 CFR §1.16)

Fee for Request for Continued Examination Under 37 C.F.R. §1.17(e)	\$810 =	\$810.00
TOTAL		
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)	\$405.00	\$405.00

- a. Applicant hereby petitions for a month extension of time.
 - b. Applicant believes that no (additional) extension of time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorizes the Director to charge the required fees for an extension of time under 37 CFR §1.136 to Deposit Account No. 50-3874 (Order No. IPVMCP02).
 - c. Enclosed is a Credit Card Payment Form for payment of the amount of \$405.00 to cover the RCE and additional claims fee.
 - d. The Director is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-3874 (Order No. IPVMCP02).
3. Please send correspondence to the following address:

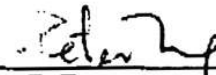
Customer Number 34071

34071

IpVenture, Inc.
6160 El Camino Real, Suite A-22
Los Altos, CA 94022

Please direct any calls to (650) 903-9200

Date: September 17, 2009



Peter P. Tong
Registration No. 35,767

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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: DOAN, KIET M

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 September 17, 2009.

Signed: *Patricia Tate* Printed Name: Patricia Tate

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	18	MINUS	22	00	x 26 =	x 52 =
Independent Claims	3	MINUS	4	00	x 110 =	x 220 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$0.00	\$
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 1.138 to Deposit Account No. 50-3874 (Order No. IPVMCP02).
- Enclosed is a Credit Card Payment Form for the amount of _____ to cover the additional claim fee and/or extension of time fees.
- Please charge any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-3874 (Order No. IPVMCP02).

Respectfully submitted,
Peter P. Tong
Peter P. Tong
Reg. No. 35,757

SEP 17 2009

PATENT

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: DOAN, KIET M.

Filed: June 12, 2008

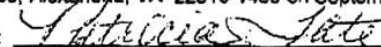
Group: 2617

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 September 17, 2009.

Signed:



Printed Name: Patricia Tate

AMENDMENT B

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

Dear Sir:

In response to the Office Action dated July 27, 2009, 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 8 of this paper.

PATENT**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) A computer readable storage medium encoded with instructions capable to be executed by a computing device ~~computer-implemented method~~ to manage the communication of a user in view of a ~~person~~ caller trying to electronically convey a message to the user, the plurality of instructions, when executed by the computing device, result in the computing device method comprising:
 - receiving, by a network-based portal, the message;
 - identifying, by the network-based portal, the identity of the ~~person~~ caller based on identifying a digital identity of the caller;
 - identifying, by the network-based portal, the urgency of the message;
 - requesting, by the network-based portal, information from at least a storage device, to determine an access priority of the ~~person~~ caller based on the ~~person~~ caller's identity, and to determine a status of the user; and
 - managing, by the network-based portal, the message using one or more rules, and in view of the status of the user, the access priority of the ~~person~~ caller and the urgency of the message,
 - wherein the access priority of the ~~person~~ caller is selected from a plurality of levels and is pre-stored in the storage device,
 - wherein the user can restrict the network-based portal from getting the information from the storage device, ~~and~~
 - wherein the storage device is in a personal communication apparatus of the user,
 - wherein though the plurality of instructions, when executed by a computing device, further result in the computing device allowing the user to receive the message, the caller is not aware of the contact information of the user to prevent the caller from directly sending messages to the personal

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communication apparatus of the user without going through the network-based portal, and

wherein though the plurality of instructions, when executed by a computing device, further result in the computing device allowing the user to receive the message, the user is not aware of contact information of the caller to prevent the user from directly sending messages to the caller without going through the network-based portal.

2. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 1, wherein the network-based portion includes at least one server.

3. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 1, wherein the access priority of the person caller is selected by the user.

4. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 1, wherein the access priority of the person caller depends on the user's prior reaction towards at least one prior message from the person caller.

5. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 4, wherein the plurality of instructions, when executed by a computing device, further result in the computing device further comprising:

asking the user if the user desires to set the access priority of the person caller to a certain level based on the user's prior reaction towards the person caller; and

setting the access priority of the person caller to the certain level upon an affirmative response from the user.

~~implemented method as recited in claim 1,~~

wherein the user receives the message through the personal communication apparatus, and

wherein the status of the user is defined by the user using the personal communication apparatus.

7. (Cancelled)

8. (Cancelled)

9. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 1,

wherein the portal accesses an electronic calendar of the user, and

wherein an appointment is automatically set for the user with the person caller, in view of information in the calendar.

10. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 1, wherein the plurality of instructions, when executed by a computing device, further result in the computing device wherein the method further comprises verifying the identity of the person caller based on the person caller's public key digital certificate.

11. (Currently amended) A computer readable storage medium computer-implemented method as recited in claim 1, wherein the personal communication apparatus is a cellular phone.

12-22. (Cancelled)

23. (Currently amended) A personal communication apparatus of a user comprising:

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at least a storage device including information regarding a status of the user and an access priority of a person caller, wherein the access priority of the person caller is selected from a plurality of levels and is pre-stored in the storage device, ~~and wherein in view of~~ with the person caller trying to electronically convey a message to the user by sending the message to a network-based portal, which is configured to identify the identity of the person caller and the urgency of the message; ~~and~~

a switch with a plurality of levels, with the switch configured to allow the user to change the status by selecting a level; and

at least a wireless mechanism being configured to receive a request from the network-based portal for the information regarding the status of the user and the access priority of the person caller based on the person caller's identity, and being configured to send a response to the network-based portal regarding the information,

wherein the network-based portal is configured to determine if the message should be transmitted to the personal communication apparatus based on one or more rules, the status of the user, the access priority of the person caller and the urgency of the message,

wherein though the user can receive the message via the communication apparatus, the caller is not aware of the contact information of the user to prevent the caller from directly sending messages to the personal communication apparatus without going through the network-based portal.

wherein though the user can receive the message via the communication apparatus, the user is not aware of the contact information of the caller to prevent the user from directly sending messages to the caller without going through the network-based portal, and

wherein the apparatus is configured to allow the user to restrict the network-based portal from getting the information from the storage device,

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24. (Currently amended) A personal communication apparatus as recited in claim 23, wherein the access priority of the ~~person~~ caller depends on the user's prior reaction towards at least one prior message from the ~~person~~ caller.

25. (Currently amended) A personal communication apparatus as recited in claim 24,

wherein the communication apparatus is configured to ask the user if the user desires to set the access priority of the ~~person~~ caller to a certain level based on the user's prior reaction towards the ~~person~~ caller, and

wherein the communication apparatus is configured to set the access priority of the ~~person~~ caller to the certain level upon an affirmative response from the user.

26. (Cancelled)

27. (Cancelled)

28. (Currently amended) A personal communication apparatus as recited in claim 23,

wherein the portal accesses an electronic calendar of the user, and

wherein an appointment is automatically set for the user with the ~~person~~ caller, in view of information in the calendar.

29. (Currently amended) A personal communication apparatus as recited in claim 23, wherein the identity of the ~~person~~ caller is verified based on the caller's public key digital certificate.

30. (Previously presented) A personal communication apparatus as recited in claim 23, wherein the personal communication apparatus is a cellular phone.

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31. (Currently amended) A personal communication apparatus as recited in claim 23, wherein the network-based ~~portion~~ portal includes at least one server.

32. (Currently amended) A computer readable storage medium encoded with instructions capable to be executed by a computing device ~~computer-implemented method~~ to manage the communication of a user in view of a ~~person~~ caller trying to electronically convey a message to the user, the plurality of instructions, when executed by the computing device, result in the computing device method comprising:

receiving, by a network-based portal, the message;

identifying, by the network-based portal, the identity of the ~~person~~ caller based on identifying a digital identity of the caller, and the urgency of the message, an access priority of the ~~person~~ caller based on the ~~person~~ caller's identity, and a status of the user; and

managing, by the network-based portal, the message using one or more rules, and in view of the status of the user, the access priority of the ~~person~~ caller and the urgency of the message,

wherein the access priority of the ~~person~~ caller depends on the user's prior reaction towards at least one prior message from the ~~person~~ caller,

wherein though the plurality of instructions, when executed by a computing device, further result in the computing device allowing the user to receive the message, the caller is not aware of the contact information of the user to prevent the caller from directly sending messages to the user without going through the network-based portal, and

wherein though the plurality of instructions, when executed by a computing device, further result in the computing device allowing the user to receive the message, the user is not aware of contact information of the caller to prevent the user from directly sending messages to the caller without going through the network-based portal.

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33. (Currently amended) A computer readable storage medium ~~computer-implemented method~~ as recited in claim 32, wherein the plurality of instructions, when executed by a computing device, further result in the computing device further comprising:

asking the user if the user desires to set the access priority of the ~~person~~ caller to a certain level based on the user's prior reaction towards the ~~person~~ caller; and

setting the access priority of the ~~person~~ caller to the certain level upon an affirmative response from the user.

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REMARKS

Applicants previously presented claims 1-11 and 23-33 for examination. In the above-identified Office Action, the Examiner has rejected all of the claims. By this amendment, Applicants have amended claims 1-6, 9-11, 23-25, 28, 29 and 31-33; and cancelled claims 7, 8, 26 and 27. Accordingly, claims 1-6, 9-11, 23-25, and 28-33 remain pending. Applicants respectfully request that the Examiner reconsider the application in light of the amendments and the remarks expressed herein.

101 Rejection

Claims 1-6, 9-11 were rejected under 35 USC § 101. To expedite prosecution, Applicants have amended the claims accordingly, and respectfully request that the Examiner reconsider and withdraw the rejection of claims under 35 USC § 101.

103 Rejection

Claims 1-6, 9-11, 23-25, 28 and 30-33 were rejected under 35 USC § 103(a) as being unpatentable over Cook et al. (US 6,819,757 B1, hereinafter "Cook") in view of Pepper et al. (US 5,930,700, hereinafter "Pepper"); and claim 29 was rejected under 35 USC § 103(a) as being unpatentable over Cook in view of Pepper and further in view of Austin et al. (US 2004/0024882 A1, hereinafter "Austin"). Applicants respectfully disagree.

Initially, it is submitted that there is no motivation to combine any of these references in the manner that the Office Action proposes. Even if combining Cook, Pepper and/or Austin were appropriate, which Applicants respectfully disagree, the following serious deficiencies remain.

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Cook pertains to a portal system to transmit caller information to a call agent to help the call agent handle a call. Pepper pertains to a system that allows a subscriber to be reachable by his clients by having the subscriber enter a schedule and a list of his clients into a PDA. Then the system routes important calls to a specific address, which the subscriber is currently located, and transfers unimportant calls to voice mail or to another preset destination.

There is no teaching or suggestion in Cook and Pepper of identifying the identity of a caller based on identifying a digital identity of the caller, as in Applicants' claims 1 and 32, though Pepper's system may screen and direct calls.

Pepper's system database "may contain a copy of the subscriber's PhoneBook and DateBook databases. Preferably, the database 308 automatically synchronizes with the information stored in the subscriber's PDA 200." (Col. 5, lines 34-38) Pepper prefers its system database to synchronize with information stored in its subscriber's PDA. Both Cook and Pepper do not teach or suggest a user capable of restricting a network-based portal from getting information from a storage device with access priority information and status information, as in claims 1 and 23.

Both Cook and Pepper do not teach or suggest though allowing the user to receive a message, the user is not aware of contact information of the caller to prevent the user from directly sending messages to the caller without going through the network-based portal, as in Applicants' independent claims. On the contrary, in Pepper, the caller's contact information is from the user, such as from the user's phone book in the user's PDA. Similarly, in Cook, the user is given the caller's information so as to respond to the caller.

Both Cook and Pepper also do not teach or suggest a personal communication apparatus that has a switch configured to allow a user to change status information by selecting a level, as in claim 23.

The Office Action also cited Austin to remedy deficiencies in Cook and Pepper regarding claim 29. Even if combining Cook, Pepper and/or Austin were

PATENT

appropriate, which Applicants respectfully disagree, the above-noted serious deficiencies of Cook and Pepper remain. The reliance on Austin for additional features in dependent claim 29 does not remedy the deficiencies of Cook and Pepper noted above regarding its corresponding independent claim 23.

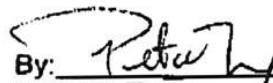
Based on the foregoing, it is submitted that all of the independent claims are patentably distinct from the cited references. In addition, it is submitted that dependent claims are also patentably distinct for at least the same reasons. Further, the independent or the dependent claims recite additional elements which when taken in the context of the claimed invention further patentably distinguish from the art of record. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from any of the cited references. Thus, it is respectfully requested that the Examiner withdraw the rejection of all the pending claims under 35 USC §103(a).

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 are 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) 803-9200 ext 102

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

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TO: Commissioner for Patents, Mall Stop:	FROM: Peter P. Tong Ph: 650-903-9200, Ext. 102 Fax: 650-903-9800
COMPANY: United States Patent Office	DATE: 9/17/2009
FAX NUMBER: 571-273-8300	NO. OF PAGES (INCLUDING COVER): 15
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:

Request for Continued Examination (RCE)	2 pages
Credit Card Payment Form	1 page
Amendment B Transmittal	1 page
Amendment B	10 pages

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/452,115	Filing Date 06/12/2006	<input type="checkbox"/> To be Mailed			
APPLICATION AS FILED – PART I					OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)		SMALL ENTITY <input checked="" type="checkbox"/>	OR	OTHER THAN SMALL ENTITY				
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)			
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	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			N/A				
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A				
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 = *		X \$ =		OR	X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 = *		X \$ =			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 \$250 (\$125 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.										
APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	OR	OTHER THAN SMALL ENTITY		
AMENDMENT	09/17/2009	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 18	Minus	** 22	= 0	X \$26 =	0	OR	X \$ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	***4	= 0	X \$110 =	0	OR	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	0	OR	TOTAL ADD'L FEE	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	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		OR	TOTAL ADD'L FEE	
* 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.										
Legal Instrument Examiner: /KAREN VESTAL/										

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
P. O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

34071 7590 01/27/2010
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

EXAMINER
DOAN, KIET M
ART UNIT PAPER NUMBER
2617
DATE MAILED: 01/27/2010

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
11/452,115 06/12/2006 Kwok Wai Cheung IPVMCP02 1743
TITLE OF INVENTION: SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE
nonprovisional YES \$755 \$300 \$0 \$1055 04/27/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

34071 7590 01/27/2010

IPVENTURE, INC.
 5150 EL CAMINO REAL
 SUITE A-22
 LOS ALTOS, CA 94022

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/452,115	06/12/2006	Kwok Wai Cheung	IPVMCP02	1743

TITLE OF INVENTION: SYSTEMS AND PROCESSES TO MANAGE MULTIPLE MODES OF COMMUNICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	04/27/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
DOAN, KIET M	2617	455-418000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 11/452,115, 06/12/2006, Kwok Wai Cheung, IPVMCP02, 1743
Row 2: 34071, 7590, 01/27/2010, [EXAMINER], [DOAN, KIET M.]
Row 3: [ART UNIT], [PAPER NUMBER]
Row 4: 2617, DATE MAILED: 01/27/2010

IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 547 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 547 day(s).

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

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	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--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 09/17/2009.
2. The allowed claim(s) is/are 1-6, 9-11, 23-25 and 28-33.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>03/23/07</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>01/19/10</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|--|---|

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

All participants (applicant, applicant's representative, PTO personnel):

(1) KIET DOAN. (3) _____.

(2) Peter Tong. (4) _____.

Date of Interview: 19 January 2010.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 6.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Due to mis-print portion of the dependent claim 6 mailed on 09/17/2009. Applicant agrees to amend claim 6 as indicated on the examiner amendment (see attached).

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/17/2009 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Tong at 650-283-3535 on 01/19/2010.

The application is amended as follows:

Claim 6. A computer readable storage medium as recited in claim 1,
wherein the user receives the message through the personal communication apparatus, and
wherein the status of the user defined by the user using the personal communication apparatus.

Allowable Subject Matter

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

Claims 1-6, 9-11, 23-25 and 28-33 are allowable.

With regard to claim 1, 23 and 32, the closest prior art record Cook et al. (US 6,819,757 B1) teaches a computer readable storage medium encoded with instructions capable to be executed by a computer device to manage the communication of a user in view of a caller trying to electronic convey a message to the user, the plurality of instructions, when executed by the computing device result in the computing device:

receiving, by a network-based portal, the message;

Identifying, by the network-base portal, the identity of the caller based on identifying a digital identity of the caller.

Pepper et al. (US 5,930,700) teaches

Identify, by the network-base portal, the urgency of the message;

requesting, by the network-base portal, information from at least a storage device, to determine an access priority of the caller base on the caller's identity, and to determine a status of the user.

However, Cook or Pepper alone or in combination fails to teach or fairly suggest managing, by the network-base portal, the message using one or more rules, and in view of the status of the user, the access priority of the caller and the urgency of the message,

wherein the access priority of the caller is selected from a plurality of levels and is pre-stored in the storage device,

wherein the user can restrict the network-based portal from getting the information from the storage device,

wherein the storage device is in a personal communication apparatus of the user, wherein though the plurality of instructions, when executed by a computing device, further result in the computing device allowing the user to receive the message, the caller is not aware of the contact information of the user to prevent the caller from directly sending messages to the personal communication apparatus of the user without going through the network-based portal, and

wherein though the plurality of instructions, when executed by a computing device, further result in the communication device allowing the user to receive the message, the user is not aware of contact information of the caller to prevent the user from directly sending messages to the caller without going through the network-based portal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to 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/
Examiner, Art Unit

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617

Index of Claims 	Application/Control No. 11452115	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2617

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	01/22/2009	07/17/2009	01/11/2010					
1	1	✓	✓	=					
2	2	✓	✓	=					
3	3	✓	✓	=					
4	4	✓	✓	=					
5	5	✓	✓	=					
6	6	✓	✓	=					
	7	✓	✓	-					
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8	10	✓	✓	=					
9	11	✓	✓	=					
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14	29		✓	=					
15	30		✓	=					
16	31		✓	=					
17	32		✓	=					
18	33		✓	=					


Issue Classification 	Application/Control No. 11452115	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2617

ORIGINAL						INTERNATIONAL CLASSIFICATION											
CLASS			SUBCLASS			CLAIMED				NON-CLAIMED							
455			418			H	0	4	M	3 / 00 (2006.0)							
CROSS REFERENCE(S)						H	0	4	Q	7 / 20 ()							
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																
455	435.3																
379	265.09																

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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2	2		18												
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9	11		27												
	12	13	28												
	13	14	29												
	14	15	30												
	15	16	31												
	16	17	32												

/KIET DOAN/ Examiner.Art Unit 2617 (Assistant Examiner)	01/11/2009 (Date)	Total Claims Allowed: 18	
/CHARLES N APPIAH/ Supervisory Patent Examiner.Art Unit 2617 (Primary Examiner)	01/12/2010 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 2

Search Notes 	Application/Control No. 11452115	Applicant(s)/Patent Under Reexamination CHEUNG ET AL.
	Examiner KIET DOAN	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
709	206	1/23/09	KD
	247		KD
455	418		KD
		7/21/09	
455	435.3		KD
379	265.09		KD
709	227		KD
		1/11/2010	
370	352		KD
379	88.18		KD
	88.13		KD
	88.22		KD

SEARCH NOTES		
Search Notes	Date	Examiner
@ad<"20031111" and (incom\$3 receiv\$3) near1 message\$1 and (id identif\$4) near1 message\$1 and determ\$4 near3 (urgenc\$3 priority vip boss prio\$5) near2 message\$1 and internet	1/23/09	KD
@ad<"20031111" and incom\$3 near call\$3 and (id identif\$4) and (urgenc\$3 priority vip boss) and access same priority and (call message\$1) near2 (urgenc\$2 vip boss)		KD
	7/21/09	
@ad<"20030101" and network near portal\$1 and 455/\$.ccls.		KD
@ad<"20030101" and portal near2 (id identif\$4 identity verif\$4) near2 (cal\$3 message\$1) and public near key same digital		KD
Update East search		KD
	1/11/2010	
portal\$1 and caller\$1 with (id identif\$4).clm.		KD
portal\$1and caller\$1 with (id identif\$4) and (status urgen\$3) with (caller\$1 message\$1) and priorit\$5.clm.		KD
inventor search		KD
tong.in. and portal\$1 and caller\$1 with (id identif\$4)		KD
cheung.in. and portal\$1 and caller\$1 with (id identif\$4)		KD
thomas.in. and portal\$1 and caller\$1 with (id identif\$4)		KD
with Cai wayne		KD
with Bing Tieu provide search 379 class		KD

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SEARCH NOTES		
Search Notes	Date	Examiner
Update East Search		KD

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
709	206	1/11/2010	KD

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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L2	0	portal\$1 same message \$1 same caller\$1 with (id identif\$4) and status with caller\$1 with (boss friend\$1 wife son daughter important vip) and access with priority	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	OFF	2010/01/11 15:23
L4	7	("20020165784" "20030033356" "20030086556" "6459788" "6473505" "6570963" "6690664").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/01/11 15:25
L5	13	("5206903" "5452350" "5592541" "5675635" "5828740" "5940496" "5991392" "6141342" "6181703" "6236722" "6289094" "6459788" "6473505").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/01/11 15:33
L6	23	("5706334" "6112233" "6215858" "6219413" "6229878" "6282275" "6421425" "6442242" "6445694" "6459782" "6483898" "6507643" "6549612" "6621800" "6650737" "6665378" "6671355" "6683940" "6760410"	US-PGPUB; USPAT; USOCR	OR	OFF	2010/01/11 15:35

		"6782079" "6792082" "6807409" "6823047").PN.				
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L8	182	portal\$1 and caller\$1 with (id identif\$4) and (status urgen\$3) with (caller\$1 message\$1) and priorit\$5.clm.	USPAT	OR	OFF	2010/01/11 15:37
L9	1191	cheung.in. and portal \$1 and caller\$1 with (id identif\$4) and (status urgen\$3) with (caller \$1 message\$1) and priorit\$5	USPAT	OR	OFF	2010/01/11 15:37
L10	0	cheung.in. and portal \$1 and caller\$1 with (id identif\$4) and (status urgen\$3) with (caller\$1 message\$1) and priorit\$5	USPAT	OR	OFF	2010/01/11 15:38
L11	0	tong.in. and portal\$1 and caller\$1 with (id identif\$4) and (status urgen\$3) with (caller \$1 message\$1) and priorit\$5	USPAT	OR	OFF	2010/01/11 15:38
L12	0	tong.in. and portal\$1 and caller\$1 with (id identif\$4)	USPAT	OR	OFF	2010/01/11 15:38
L13	12	thomas.in. and portal \$1 and caller\$1 with (id identif\$4)	USPAT	OR	OFF	2010/01/11 15:38
L14	0	tong.in. and portal\$1 and caller\$1 with (id identif\$4)	USPAT	OR	OFF	2010/01/11 15:39
L15	339	portal\$1 and caller\$1 with (id identif\$4)	USPAT	OR	OFF	2010/01/11 15:40
L16	38	portal\$1 and caller\$1 with (id identif\$4).clm.	USPAT	OR	OFF	2010/01/11 15:40

L17	47	("20030147518" "5206899" "5208745" "5283888" "5359645" "5463696" "5465378" "5493606" "5497373" "5600765" "5632002" "5749072" "5758322" "5761641" "5799063" "5809269" "5819220" "5872779" "5873064" "5875429" "5884262" "5884265" "5884266" "5893063" "5897618" "5915001" "5918213" "5920841" "5926789" "5937037" "5945989" "5953392" "5978450" "6055513" "6067348" "6088722" "6144938" "6144988" "6161128" "6189008" "6334103" "6374237" "6418440" "6446076" "6483523" "6807574" "6842767").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/01/11 15:51
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1/ 11/ 2010 3:53:35 PM