



Index of Claims 	Application/Control No. 11022599	Applicant(s)/Patent Under Reexamination NATCHU, VISHNU
	Examiner Wong, Xavier Szewai	Art Unit 2616

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE									
Final	Original	12/17/2007									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
	6	✓									
	7	✓									
	8	✓									
	9	✓									
	10	✓									
	11	✓									
	12	✓									
	13	✓									
	14	✓									
	15	✓									
	16	✓									
	17	✓									
	18	✓									
	19	✓									
	20	✓									
	21	✓									
	22	✓									
	23	✓									
	24	✓									
	25	✓									
	26	✓									
	27	✓									
	28	✓									
	29	✓									
	30	✓									
	31	✓									
	32	✓									
	33	✓									
	34	✓									
	35	✓									
	36	✓									



Index of Claims 	Application/Control No. 11022599	Applicant(s)/Patent Under Reexamination NATCHU, VISHNU
	Examiner Wong, Xavier Szewai	Art Unit 2616

✓	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	12/17/2007							
	37	✓							
	38	✓							
	39	✓							
	40	✓							

Search Notes



Application/Control No.

11/022,599

Examiner

Xavier Szewai Wong

Applicant(s)/Patent under Reexamination

NATCHU, VISHNU

Art Unit

2616

SEARCHED			
Class	Subclass	Date	Examiner
370	229	12/16/2007	XSW
	232	12/16/2007	XSW
	234	12/16/2007	XSW

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES (INCLUDING SEARCH STRATEGY)		
	DATE	EXMR
EAST image and keyword search in USPAT, US-PGPUB, DERWENT, EPO, JPO, and IBM_TDB (please see search history)	12/16/2007	XSW
Inventor Name and Assignee search in PALM ExPO and EAST	12/16/2007	XSW



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.

11/022,599 12/22/2004 Vishnu Natchu 60010-0020 8956

29989 7590 08/20/2008
HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

Table with 1 column: EXAMINER

WONG, XAVIER S

Table with 2 columns: ART UNIT, PAPER NUMBER

2616

Table with 2 columns: MAIL DATE, DELIVERY MODE

08/20/2008 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.

Notice of Abandonment	Application No.	Applicant(s)	
	11/022,599	NATCHU, VISHNU	
	Examiner	Art Unit	
	Xavier Wong	2616	

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

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 20th December 2007.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:

 over 7 months after office action mailed 12-20-07 without response filed

/Brenda Pham/
Primary Examiner, Art Unit 2616

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Vishnu, Natchu

Appln. No.: 11/022,599

Confirm. No.: 8956

Filed: 12/22/2004

Title: MECHANISM FOR IDENTIFYING AND
PENALIZING MISBEHAVING FLOWS
IN A NETWORK

Art Unit: 2616

Examiner: Wong, Xavier S.

Customer No. 43490

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Mail Stop Amendments

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This RESPONSE is in reply to the Office Action mailed December 20, 2007. The time set for response was three months and ended on March 20, 2008. No reply was filed prior to the end of the six month maximum statutory period. Thus, the above-referenced application was unintentionally abandoned and a Petition for Revival under 37 C.F.R. § 1.137 accompanies this response. All required fees are enclosed.

Remarks

These remarks are in response to the Office Action mailed December 20, 2007. The total number of claims submitted for consideration is forty (40).

Office Action Not in Accordance with 37 C.F.R. 1.104(c)(2)

Applicant respectfully asserts that the rejections are not in accordance with 37 CFR 1.104(c)(2), which states, in relevant part, “[t]he pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.” In the present Office Action, there rejected claims have been lumped together into one collective rejection, and the language of the claims has been paraphrased. For example, in paragraph 6 of the Office Action, claims 4, 10, 24, and 30 were rejected “as applied to claims 1, 8, 21, and 28” without explanation as to the pertinence of the reference as applied to each element of each rejected claim. Applicant has set forth several arguments below, however without further clarity in the rejections, Applicant cannot properly and fully respond. Therefore, Applicant respectfully requests that these rejections be withdrawn.

Response to Rejections Under 35 U.S.C. § 102(b)

The Office Action rejected claims 1, 2, 4-10, 21, 22 and 24-30 under 35 U.S.C. § 102(b) as being anticipated by Zikan et al (U.S. 6,310,881 B1).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Zikan does not anticipate each and every element of each rejected claim.

Rejections to Claims 1 & 21 Under § 102(b)

The Office Action mistakenly asserts that the dynamic load balancer in Zikan et al. is equivalent to the misbehaving flow manager (MFM) of the present application. Conversely, these two components have different functions and utilize different types of information, as described below. And while the result of the method taught in Zikan is improved routing capabilities (col. 1, ln 17-20; col. 2, ln 52-59), in the present invention “processing a packet my, but does not necessarily, involve forwarding the packet to another router.” [detailed description of present application, hereinafter “Natchu”, para 29]

Claim 1 teaches “a machine implemented method for processing a flow...” This is a method for processing a *single* flow, whereby only the statistics and behavior of that one flow are used to determine its outcome. [Natchu, para 30-31] By contrast, the Zikan method teaches a network traffic direction system comprising several router modules that, by communicating with each other, determine changes in the overall communication system and adapt accordingly. [See FIGs. 1, 2A, 2B] Thus, the Zikan reference teaches multiple nodes that acquire information from

multiple sources and make changes to groups of flows, whereas the present invention is directed to a method for processing one flow at a time based on information from only that one flow.

Claim 1 of the present application also teaches “maintaining a set of behavioral statistics for the flow, wherein the set of behavioral statistics is updated as information packets belonging to the flow are processed.” Again, this claim is directed to processing a *single* flow. Information pertaining to each packet belonging to a single flow is collected by the misbehaving flow manager (MFM), and each set of behavioral statistics contains information from only one flow. [Natchu, para 35; FIGs. 3-4] By contrast, the dynamic load balancer of Zikan is “configured to determine flows based on the home and neighbor potentials,” and “uses information collected by the neighborhood supervisor unit 214 of the home router module 130 from the neighboring router modules 130.” [col. 2, ln 45-47; col. 5, ln 34-37; *see also* col. 17, ln 18-29]

In claim 1 of the present application, “the set of behavioral statistics is updated as information packets belonging to [a single] flow are processed.” Additionally, statistics for each flow processed by a router are separate and distinct, and the statistics for one flow are not used to determine the outcome of another flow. [Natchu, para 29-30; FIGs. 3-4] By contrast, the dynamic load balancer of Zikan “adjusts the routing tables of the router table unit 218 based upon the information collected [from neighboring router modules] in order to optimize overall utilization of the data communication system served by the network traffic director system 110.” [col. 5, ln 34-41] “The dynamic load balancer unit 216 uses information from the neighborhood supervisor unit 214 to determine parameters that the routing table unit 218 then uses to prepare routing table data.” [col. 7, ln 63-66] The method for determining these parameters and optimizing traffic flow is discussed in columns 8-11 of Zikan.

Mathematically, the method is expressed in column 9, lines 45-50 of Zikan, and “the expression $E_{\alpha,\beta}(f)$ incorporates factors associated with individual OD/QoS combinations for each arc “ab” over all the arcs in a data communication system.” [col. 10, ln 29-31] An “arc” is defined as a direction that a packet can travel along a link, and “for typical flow conditions in a data communication system, an overall flow in a particular arc typically is a conglomeration of one or more separate flows.” [col. 8, ln 12-14, 48-50] Thus, in the Zikan reference, the method used to optimize traffic flow in a communication system incorporates information from several flows, whereas the method in the present application utilizes information from a single flow. [*See also* col. 17, ln 39-46]

Claim 1 of the present application includes “determining, based at least partially upon the set of behavioral statistics, whether the flow is exhibiting undesirable behavior.” Therefore, once all statistics for a single flow are collected, the MFM decides how to treat that particular flow (e.g., whether to drop all or part of it, etc.) [Natchu, para 30] By contrast, the dynamic load balancer 216 in Zikan collects information from “router modules scattered throughout a data communication system” via the neighborhood supervisor unit 214. [col. 15, ln 43-44, 61-63] The information collected within a predetermined period of time is then analyzed and compared to the information collected from the previous time period. If certain parameters have changed or been reached, the dynamic load balancer subsequently updates its associated routing table. [col. 19, ln 12-25] Therefore, while the system in Zikan collects information during a predetermined time period and compares it with information from another time period, the method of the present invention collects information for a single flow, without time limits, and does not compare it to statistics for another flow.

The method of claim 1 in the present application also comprises, “in response to determination that the flow is exhibiting undesirable behavior, enforcing a penalty on the flow.” In the present invention, any given penalty imposed is applied to only a single flow; the decision to enforce a penalty is not carried out on multiple flows at a time. [Natchu, para 31-32; FIGs. 3, 5] Moreover, in the present invention a penalty can include dropping a packet or enforcing an increased drop rate on the flow [Natchu, para 31-32, 41-44].

By contrast, the penalty function involved in the Zikan system is actually a measure of undesirable influences affecting the flow of communication in the entire data communication system. [col. 9, ln 62-65] This penalty function requires consideration of a multitude of factors relating to a plurality of flows within the data system. “The solution to the optimization of the uniquely formulated [penalty function] over all the component flows...results in solutions of flow $f_{j,ab}$ for each OD/QoS combination “j” for each arc “ab” in the data communication system.” [col. 10, ln 52-58] Moreover, Zikan does not teach a penalty function that includes dropping a flow or increasing the drop rate for a flow. Instead, the penalty function of Zikan determines the presence of undesirable influences in the data communication system that may be remedied by changing parameters stored in routing tables. Thus, the penalty function does not impose an action on a single flow as the result of that single flow’s behavior.

For the foregoing reasons, claim 1 is not anticipated by Zikan and Applicant respectfully requests that the rejection to claim 1 be withdrawn.

Claim 21 was also rejected as being anticipated by Zikan. The elements of claim 21 parallel those of claim 1. Thus, the arguments made above with respect to claim 1 rejections also apply to the rejection of claim 21 under §102(b), and Applicant respectfully requests that the rejection to claim 21 be withdrawn.

Rejections to Claims 5 & 25 Under §102(b)

Claim 5 teaches a method that comprises “maintaining a set of behavioral statistics for the flow, wherein the set of behavioral statistics is updated as information packets belonging to the flow are processed.” These same elements are also present in claim 1. Therefore, the aforementioned arguments with respect to the rejection of claim 1 under §102(b) are likewise applicable to these elements of claim 5, and Applicant asserts that Zikan does not anticipate these elements.

Claim 5 also teaches “computing, based at least partially upon the set of behavioral statistics, a badness factor for the flow, wherein the badness factor provides an indication of whether the flow is exhibiting undesirable behavior.” The badness factor taught by the present application employs a set of behavioral statistics for a *single* flow, and its resulting calculation is utilized by the MFM to determine whether a penalty should be enforced on the flow. [Natchu, para 30, 41]

By contrast, the expression $E_{\alpha,\beta}(f)$ in Zikan necessarily requires computation of data from all flows in a communication system in order to assess the state of the system as a whole. “The solution for data flows also optimizes the following uniquely formulated expression $E_{\alpha,\beta}(f)$ involving a substantially quadratic function of data flows in a data communication system.” [col. 9, ln 40-44] “The expression $E_{\alpha,\beta}(f)$ incorporates factors associated with individual OD/QoS combinations for each arc “ab” over all the arcs in a data communication system.” [col. 10, ln 29-31] Moreover, once $E_{\alpha,\beta}(f)$ is computed, any changes made are applied to a group of flows in the system; there is no drop-rate penalty enforced on an individual flow.

For the foregoing reasons, claim 5 is not anticipated by Zikan and Applicant respectfully requests that the rejection to claim 5 be withdrawn.

Claim 25 was also rejected as being anticipated by Zikan. The elements of claim 25 parallel those of claim 5. Thus, the arguments made above with respect to claim 1 rejections also apply to the rejection of claim 25 under §102(b), and Applicant respectfully requests that the rejection to claim 25 be withdrawn.

Rejections to Claims 2, 4, 6-10, 22, 24, 26-30 Under §102(b)

Claims 2, 4, 6-10, 22, 24, and 26-30 were also rejected under §102(b) as being anticipated by Zikan. Claims in dependent form shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim. 37 CFR 1.75. As shown above, claims 1, 5, 21, and 25 are not anticipated by Zikan. Claims 2 & 4 depend from claim 1; claims 6-10 depend from claim 5; claims 22 & 24 depend from claim 21; and claims 26-30 depend from claim 25. Therefore, Applicant respectfully requests that these rejections be withdrawn as well.

Response to Rejections Under 35 U.S.C. §103(a)

Claims 3, 12-14, 18, 23, 32-34, and 38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Zikan et al in view of Skirmont. Claims 11 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Zikan et al in view of Afanador. Claims 15-17, 35-37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Zikan et al in view of Scifres et al. Claims 19-20, 39-40 were rejected under §103(a) as being unpatentable over Zikan in view of Kejriwal et al. As explained above, these rejections are lumped together in groups without specific explanation of how each element is obvious over each reference. Moreover, the claims are paraphrased and citations to the references are sparse. Thus, these rejections are improper and Applicant cannot properly respond. It is respectfully requested that these rejections be withdrawn.

Conclusion

Applicant respectfully asserts that the Office Action does not meet the standards of 37 CFR 104(c)(2) and requests that the action be withdrawn and a new Office Action issued. Additionally, to the best of Applicant's ability in light of the improper Office Action, arguments have been set forth which illustrate that the cited references do not render the claims unpatentable.

The Examiner is respectfully requested to telephone the undersigned if she can assist in any way in expediting the issuance of a patent.

Respectfully submitted,

By: /Sara Dirvianskis/
Sara Dirvianskis
Reg. No. 62,613

Dated: May 21, 2009

West & Associates, A PC
2815 Mitchell Dr., Suite 209
Walnut Creek, CA 94598
T: (925) 465-4603

Electronic Patent Application Fee Transmittal

Application Number:	11022599			
Filing Date:	22-Dec-2004			
Title of Invention:	Mechanism for identifying and penalizing misbehaving flows in a network			
First Named Inventor/Applicant Name:	Vishnu Natchu			
Filer:	Stuart James West/Marisella Cornett			
Attorney Docket Number:	60010-0020			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition-revive unintent. abandoned appl	2453	1	810	810
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				810

Electronic Acknowledgement Receipt

EFS ID:	5379175
Application Number:	11022599
International Application Number:	
Confirmation Number:	8956
Title of Invention:	Mechanism for identifying and penalizing misbehaving flows in a network
First Named Inventor/Applicant Name:	Vishnu Natchu
Customer Number:	29989
Filer:	Stuart James West/Marisella Cornett
Filer Authorized By:	Stuart James West
Attorney Docket Number:	60010-0020
Receipt Date:	21-MAY-2009
Filing Date:	22-DEC-2004
Time Stamp:	16:58:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$810
RAM confirmation Number	3134
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
-----------------	----------------------	-----------	----------------------------------	------------------	------------------

1	Miscellaneous Incoming Letter	20090521-Transmittal-Revival-SABLE-01008.pdf	2127342 9273262a6d96ac04909387c952e6a8f5792088f	no	2
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	20090521-SABLE-01008_RevivalPetition_FinalSDP.pdf	82566 5c1c43fa221d0854051ed95344ec188ad9ec09e1	no	2
Warnings:					
Information:					
3	Oath or Declaration filed	20090520-declarationforrevival-SABLE-01008_FinalSDP.pdf	278415 aaedc3b2a7c494eebda35f3466cfd9492f94ca	no	1
Warnings:					
Information:					
4	Applicant Arguments/Remarks Made in an Amendment	20090521-SABLE-01008_ROA_FinalSDP.pdf	126381 4cde5042cb40d09b1dbb096b49fa75c0ff16e38	no	11
Warnings:					
Information:					
5	Fee Worksheet (PTO-875)	fee-info.pdf	30327 3ec3f070ba43223ae77adb341131a489c3d2fa5b	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2645031		
<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>					

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.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
SABLE-01008

First named inventor: Vishnu, Natchu

Application No.: 11/022,599

Art Unit: 2616

Filed: December 22, 2004

Examiner: Wong, Xavier S.

Title: Mechanism For Identifying And Penalizing Misbehaving Flows In a Network

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee

Small entity-fee \$ 810.00 (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.

Other than small entity-fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response To Office Action (identify type of reply):

has been filed previously on _____.

is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

has been paid previously on _____.

is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, 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.

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

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/Sara Dirvianskis/

Signature

Sara Dirvianskis

Type or Printed name

2815 Mitchell Drive, Suite 209

Address

Walnut Creek, CA 94598

Address

May 21, 2009

Date

62,613

Registration Number, If applicable

925-465-4603

Telephone Number

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: Response to Office Action

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Vishnu, Natchu

Appln. No.: 11/022,599

Confirm. No.: 8956

Filed: 12/22/2004

Title: MECHANISM FOR IDENTIFYING AND
PENALIZING MISBEHAVING FLOWS
IN A NETWORK

Art Unit: 2616

Examiner: Wong, Xavier S.

Customer No. 43490

**PETITION FOR REVIVAL OF PATENT
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

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

Dear Sir:

Applicant respectfully petitions for the revival of the above-references patent application under 37 C.F.R. § 1.137(b). The entire delay in filing a reply to the Office Action mailed December 20, 2007 was UNINTENTIONAL for the following reasons: miscommunication between Applicant and his attorney prevented a timely response. Applicant sent a document to his attorney that led the attorney to believe that Applicant wanted to handle the Office Action on his own. However, it was not Applicant's intention to handle the Office Action response on his own. This miscommunication resulted in failure to respond in a timely manner and subsequent abandonment of this application.

Thus, this petition filed concurrently with a reply to the outstanding Office Action and required fees under 37 C.F.R. § 1.17(m), was filed at the first possible opportunity after resolving

the miscommunication. Therefore, Applicant respectfully requests that revival of the current application be granted and prosecution be allowed to continue.

Respectfully submitted,

Date: May 21, 2009

By: /Sara Dirvianskis/
Sara Dirvianskis
Reg. No. 62,613

West & Associates, A PC
2815 Mitchell Drive, Suite 209
Walnut Creek, CA 94598
T: (925) 465-4603

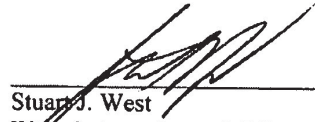
Declaration of Stuart J. West

First named inventor: Vishnu Natchu Docket Number: SABLE-01008
Application No.: 11/022,599 Art Unit: 2616
Filed: 12/22/2004 Examiner: Xavier Szewai Wong
Title: MECHANISM FOR IDENTIFYING AND PENALIZING
MISBEHAVING FLOWS IN A NETWORK

DECLARATION

1. The above-referenced application was considered abandoned by the Patent and Trademark Office as of 08/20/2008 because of failure to response to office action mailed 12/20/2007.
2. A response to the office action mailed 12/20/2007 was not sent because of a miscommunication between client and attorney.
3. The client sent a document to the attorney that led the attorney to believe that the client wanted to handle the office action response on his own.
4. However, it was not the client's intention to handle the office action response on his own.
5. Therefore, this delay in replying to the office action and the abandonment of the application was unintentional.

Date: 5/20/09



Stuart J. West
West & Associates, A PC
2815 Mitchell Drive, Suite 209
Walnut Creek, CA 94598

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 11/022,599		Filing Date 12/22/2004		<input type="checkbox"/> To be Mailed									
APPLICATION AS FILED – PART I																		
(Column 1)			(Column 2)			SMALL ENTITY <input type="checkbox"/>		OR			OTHER THAN SMALL ENTITY							
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)		RATE (\$)		FEE (\$)						
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>		N/A		N/A		N/A				N/A								
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>		N/A		N/A		N/A				N/A								
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>		N/A		N/A		N/A				N/A								
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>		minus 20 =		*		X \$ =				OR		X \$ =						
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>		minus 3 =		*		X \$ =				OR		X \$ =						
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>		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 <small>(37 CFR 1.16(j))</small>																		
* If the difference in column 1 is less than zero, enter "0" in column 2.																		
TOTAL						TOTAL												
APPLICATION AS AMENDED – PART II																		
(Column 1)			(Column 2)			(Column 3)			SMALL ENTITY		OR		OTHER THAN SMALL ENTITY					
AMENDMENT	05/21/2009		CLAIMS REMAINING AFTER AMENDMENT				HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)		RATE (\$)		ADDITIONAL FEE (\$)	
	Total <small>(37 CFR 1.16(i))</small>		* 40		Minus		** 40		= 0		X \$ =				OR		X \$52= 0	
	Independent <small>(37 CFR 1.16(h))</small>		* 4		Minus		***4		= 0		X \$ =				OR		X \$220= 0	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>																	
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>																	
TOTAL ADD'L FEE						TOTAL ADD'L FEE						0						
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT				HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)		RATE (\$)		ADDITIONAL FEE (\$)	
	Total <small>(37 CFR 1.16(i))</small>		*		Minus		**		=		X \$ =				OR		X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>		*		Minus		***		=		X \$ =				OR		X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>																	
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>																	
TOTAL ADD'L FEE						TOTAL ADD'L FEE						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: /JACQULYN L. WILLIAMS/																		

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

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

HICKMAN PALERMO TRUONG
& BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

MAILED

JUL 17 2009

OFFICE OF PETITIONS

In re Application of :
Vishnu NATCHU :
Application No. 11/022,599 : DECISION ON PETITION
Filed: December 22, 2004 :
Attorney Docket No. 60010-0020 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 21, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, December 20, 2007, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on March 21, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$810; and (3) the proper statement of unintentional delay.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due

date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney document must be submitted. While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

This application is being referred to Technology Center AU 2616 for appropriate action by the Examiner in the normal course of business on the reply received May 21, 2009.



Thurman K. Page
Petitions Examiner
Office of Petitions

cc: SARA DIRVIANSKIS
2815 MITCHELL DRIVE, SUITE 209
WALNUT CREEK, CA 94598

Electronic Acknowledgement Receipt

EFS ID:	5765004
Application Number:	11022599
International Application Number:	
Confirmation Number:	8956
Title of Invention:	Mechanism for identifying and penalizing misbehaving flows in a network
First Named Inventor/Applicant Name:	Vishnu Natchu
Customer Number:	29989
Filer:	Stuart James West/Dawn Callender
Filer Authorized By:	Stuart James West
Attorney Docket Number:	60010-0020
Receipt Date:	24-JUL-2009
Filing Date:	22-DEC-2004
Time Stamp:	14:35:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		20090724-POAdocuments-SABLE-01008.pdf	1848847 <small>d464b4f5e9979e48a3097d1aa6f0bbfd7e868394</small>	yes	4

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Miscellaneous Incoming Letter	1	1
Power of Attorney	2	2
Assignee showing of ownership per 37 CFR 3.73(b).	3	4

Warnings:

Information:

Total Files Size (in bytes):	1848847
-------------------------------------	---------

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.

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.

REVOCAION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	11022599
	Filing Date	12/22/2004
	First Named Inventor	Vishnu Natchu
	Art Unit	2616
	Examiner Name	Xavier S. Wong
	Attorney Docket Number	SABLE-01008

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number:

Please change the correspondence address for the above-identified application to:

The address associated with Customer Number:

OR

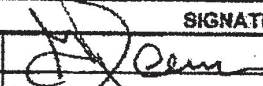
<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)

SIGNATURE of Applicant or Assignee of Record

Signature			
Name	Sable Networks, Inc by Gregory Perry		
Date	<input type="text" value="28 AUG 08"/>	Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.36. 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 3 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.

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.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Sable Networks, Inc.
Application No./Patent No.: 11022599 Filed/Issue Date: 12/22/2004
Titled: Mechanism for Identifying and Penalizing Misbehaving Flows in a Network

Sable Networks, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. the assignee of the entire right, title, and interest in;
- 2. an assignee of less than the entire right, title and interest in
(The extent (by percentage) of its ownership interest is _____ %), or
- 3. the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

- 1. From: Vishnu Natchu To: Caspian Networks, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 016138, Frame 0366, or for which a copy thereof is attached.
- 2. From: Caspian Networks, Inc. To: Venture Lending & Leasing IV, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 018243, Frame 0363, or for which a copy thereof is attached.
- 3. From: Venture Lending & Leasing IV, Inc. To: Caspian Networks, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 022991, Frame 0484, or for which a copy thereof is attached.

- Additional documents in the chain of title are listed on a supplemental sheet(s).
- As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

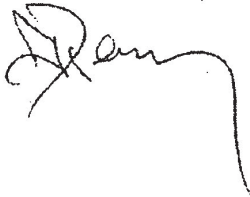
	July 22, 2009
Signature	Date
Gregory Perry	CEO of Sable Networks, Inc.
Printed or Typed Name	Title

This collection of information is required by 37 CFR 3.73(b). 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. 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.

From: Caspian Networks, Inc. To: Mobile Convergence, Ltd.
The document was recorded in the United States Patent and Trademark Office at
Reel 022992, Frame 0829, or for which a copy thereof is attached.

From: Mobile Convergence, Ltd. To: Sable Networks, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 022992, Frame 0914, or for which a copy thereof is attached.

A handwritten signature in black ink, appearing to be 'D. Ram' or similar, with a long horizontal stroke extending to the right.

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.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	11022599
	Filing Date	12/22/2004
	First Named Inventor	Vishnu Natchu
	Art Unit	2618
	Examiner Name	Xavier S. Wong
Total Number of Pages in This Submission	4	Attorney Docket Number SABLE-01008

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/96
Remarks: _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	West & Associates, A PC		
Signature	/Stuart J. West/		
Printed name	Stuart J. West		
Date	07/24/2009	Reg. No.	43258

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	_____		
Typed or printed name	_____	Date	_____

This collection of information is required by 37 CFR 1.5. 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 2 hours 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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/022,599	12/22/2004	Vishnu Natchu	SABLE-01008

CONFIRMATION NO. 8956

POA ACCEPTANCE LETTER

43490
WEST & ASSOCIATES, A PC
2815 MITCHELL DRIVE
SUITE 209
WALNUT CREEK, CA 94598



Date Mailed: 08/11/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/24/2009.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/squareshi/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/022,599	12/22/2004	Vishnu Natchu	60010-0020

CONFIRMATION NO. 8956

POWER OF ATTORNEY NOTICE

29989
HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110



Date Mailed: 08/11/2009

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/24/2009.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervned as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/squareshi/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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. Includes details for application 11/022,599 filed 12/22/2004 by Vishnu Natchu, attorney SABLE-01008, examiner WONG, XAVIER S, art unit 2462, and notification date 11/13/2009.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENT@WEST-ASSOCIATES.NET
SJWEST@ASTOUND.NET
PATENT@WESTPATENTLAW.COM