

# EXHIBIT 11



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/695,233	04/24/2015	Malcolm K. Beyer JR.	MOC-003	5326
51414	7590	03/24/2016	EXAMINER OBAYANJU, OMONIYI	
GOODWIN PROCTER LLP PATENT ADMINISTRATOR 53 STATE STREET EXCHANGE PLACE BOSTON, MA 02109-2881			ART UNIT	PAPER NUMBER
			2646	
			NOTIFICATION DATE:	DELIVERY MODE:
			03/24/2016	ELECTRONIC

**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):

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<b>Office Action Summary</b>	<b>Application No.</b> 14/695,233	<b>Applicant(s)</b> BEYER, MALCOLM K.	
	<b>Examiner</b> OMONIYI OBAYANJU	<b>Art Unit</b> 2646	<b>AIA (First Inventor to File) Status</b> No

**-- 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 MONTHS 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 02/29/2016.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  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\***

- 5)  Claim(s) 1-8,11-18,21-28 and 31-53 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 1-8,11-18,21-28 and 31-53 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  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).

**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).

**Certified copies:**

- 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)).

\*\* 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)  Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date \_\_\_\_\_.
- 3)  Interview Summary (PTO-413) Paper No(s)/Mail Date. \_\_\_\_\_.
- 4)  Other: \_\_\_\_\_.

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

#### **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 02/29/2016 has been entered.

##### ***Response to Arguments***

Applicant's arguments with respect to claims 1-53 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

##### ***Claim Rejections - 35 USC § 103***

The following is a quotation of pre-AIA 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.

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Claims 1, 3-8, 11, 13-18, 21, 23-28, 31-34, 36-40, 42-46, 48-50, 52, and 53, are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Melen (US Publication No. 20040148090) in view of Engstrom et al. (US Publication No. 20040137884).

As to **claims 1, 11, and 21**, Melen teaches a method comprising: performing by a first device (**fig. 1A, car 1 with vehicle navigation system 300a**): obtaining contact information of a plurality of second devices (**fig. 4, pp0033 and pp0045, telephone number of selected member**); transmitting messages including a location of the first device to the respective second devices (**fig. 4, pp0033, track members' location, pp0070, receive location information each member, and tracking in real time, pp0060**), wherein response messages include location information of the respective second devices (**fig. 4, pp0033, track members' location, pp0070, receive location information each member, and tracking in real time, pp0060**); presenting, via an interactive display of the first device, an interactive map comprising a plurality of user selectable symbols corresponding to the plurality of second devices, wherein the symbols are positioned on the map at respective positions corresponding to the respective locations of the second devices (**fig. 4, display #310, fig. 5, #509, #510, and pp0070, select members by touching the icon on the display**); and identifying user interaction with the interactive map selecting one or more of the user-selectable symbols corresponding to one or more of the second devices and user interaction with the display specifying an action (**fig. 4, display #310, fig. 5, #509, #510, and pp0070,**

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