

EXHIBIT 9



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/633,804	02/27/2015	Malcolm K. Beyer JR.	MOC-005	8573
22235	7590	12/10/2015	EXAMINER OBAYANJU, OMONIYI	
Malin Haley DiMaggio & Bowen, P.A. 1936 S ANDREWS AVENUE FORT LAUDERDALE, FL 33316			ART UNIT	PAPER NUMBER
			2646	
			NOTIFICATION DATE:	DELIVERY MODE:
			12/10/2015	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):

info@mhdpatents.com

Office Action Summary	Application No. 14/633,804	Applicant(s) BEYER ET AL.	
	Examiner OMONIYI OBAYANJU	Art Unit 2646	AIA (First Inventor to File) Status 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 11/13/2015.
 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) 1,2,5,8-14,17,20-24 and 31-42 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) 1,2,5,8-14,17,20-24 and 31-42 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 or send an inquiry to 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

Response to Arguments

Applicant's arguments filed 11/13/2015 have been fully considered but they are not persuasive.

In response to applicant's argument that the reference Melen (U.S. Pub. No. 20040148090) fails to show certain amended features of applicant's invention (i.e. with a first device, receiving a message from a second device, wherein the message relates to joining a group). Applicant further argued and/or stated that "**the first and second navigation systems do not communicate with each other until the server adds the first navigation system 300 to the group**".

Examiner very kindly directs the Applicant to reference Richardson: **In fig. 1, and ¶ [0036] and [0038]**, discussed the concept of group interaction in a communication system. Melen further discussed and/or stated that the navigation systems are **capable of establishing groups of members and communicating wirelessly with other navigation systems without the use of a vehicle network server**. Therefore, in contrast to the Applicant's argument above, the claim does not uniquely and particularly define the limitations so as to distinguish from the applied prior art. During patent

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examination, the claims must be given their broadest reasonable interpretation. See also MPEP §2111. The at least claimed limitation in question is broadly claimed, therefore, is fairly characterized as discussed in **fig. 1, and ¶ [0036]**. Therefore it is believed that Melen teaches the claim limitations.

In regards to the amended and/or new dependent claims, arguments are moot and new grounds of rejection are applied as set forth below.

Applicant(s) are reminded that the Examiner is entitled to give the broadest reasonable interpretation to the language of the claim. The Examiner is not limited to Applicant's definition, which is not specifically set fourth in the claims, *In re Tanaka et al*, 193 USPQ 139, (CCPA) 1977. Therefore, the previous rejection is maintained.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

(a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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