

EXHIBIT 23



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/633,764	02/27/2015	Malcolm K. Beyer JR.	10963.3836	8518
22235	7590	04/07/2015	EXAMINER	
Malin Haley DiMaggio & Bowen, P.A. 1936 S ANDREWS AVENUE FORT LAUDERDALE, FL 33316			OBAYANJU, OMONIYI	
			ART UNIT	PAPER NUMBER
			2646	
			NOTIFICATION DATE	DELIVERY MODE
			04/07/2015	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. 14/633,764	Applicant(s) BEYER ET AL.	
	Examiner OMONIYI OBAYANJU	Art Unit 2646	AIA (First Inventor to File) Status Yes

-- 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 03/19/2015.
 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) 1-28 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) 1-28 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 02/27/2015 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 03/20/2015, 02/27/2015
- 3) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 4) Other: _____

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The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Double Patenting

A rejection based on double patenting of the “same invention” type finds its support in the language of 35 U.S.C. 101 which states that “whoever invents or discovers any new and useful process... may obtain a patent therefor...” (Emphasis added). Thus, the term “same invention,” in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the claims that are directed to the same invention so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

Claims 1-28 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 37-58 of copending Application No. **14529978**. This is a provisional statutory double patenting rejection since the claims directed to the same invention have not in fact been patented.

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Take an example of comparing **claim 1** of pending application and **claim 37** of copending Application No. **14529978**:

<p style="text-align: center;">Pending</p> <p style="text-align: center;">Application 14633764</p>	<p style="text-align: center;">Copending</p> <p style="text-align: center;">Application 14529978</p>
<p>1. A computer-implemented method comprising: receiving user selection of a group of one or more users on an interactive display of a first device wherein each user is associated with a respective second device; obtaining a respective location and contact information for of each of the second devices; presenting an interactive map on the display comprising one or more user-selectable symbols wherein each symbol corresponds to one of the second devices and is</p>	<p>37. A computer-implemented method comprising: receiving user selection of a group of one or more users on an interactive display of a first device wherein each user is associated with a respective second device; obtaining a respective location and contact information for of each of the second devices; presenting an interactive map on the display comprising one or more user-selectable symbols wherein each symbol corresponds to one of the second devices and is positioned on the map at a location corresponding</p>

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