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Docket No.: MOC-005
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:
Malcolm K. Beyer, Jr.

Application No.: 14/633,804

Confirmation No.: 8573

Filed: February 27, 2015

Art Unit: 2646

For: METHOD TO PROVIDE AD HOC AND
PASSWORD PROTECTED DIGITAL AND
VOICE NETWORKS

Examiner: O. Obayanju

AMENDMENT FILED WITH REQUEST FOR CONTINUED EXAMINATION (RCE)

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

INTRODUCTORY COMMENTS

In response to the Final Office Action dated December 10, 2015, please amend the above-identified U.S. 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.

ACTIVE/84854759.1

REMARKS**Administrative Overview**

Prior to the Office Action of December 10, 2015, claims 1-2, 5, 8-14, 17, 20-24, and 31-42 were pending. In the Office Action:

- claims 9, 12, 21, 24, 35, and 41 were rejected under 35 U.S.C. § 112 as purportedly failing to comply with the written description requirement;
- claims 1, 2, 9, 13, 14, 21, 31, 32, 34-38, and 40-42 were rejected under 35 U.S.C. § 102 as purportedly being anticipated by U.S. Pub. No. 2004/0148090 (“Melen”);
- claims 8, 11, 20, and 23 were rejected under 35 U.S.C. § 103 as purportedly being obvious over Melen in view of U.S. Pub. No. 2006/0047825 (“Steenstra”);
- claims 5, 10, 17, and 22 were rejected under 35 U.S.C. § 103 as purportedly being obvious over Melen in view of U.S. Patent No. 8,014,763 (“Hymes”);
- claims 12 and 24 were rejected under 35 U.S.C. § 103 as purportedly being obvious over Melen in view of U.S. Pub. No. 2004/0252050 (“Tengler”); and
- claims 33 and 39 were rejected under 35 U.S.C. § 103 as purportedly being obvious over Melen in view of U.S. Pub. No. 2005/0130666 (“Levy”).

In the present Amendment, claims 5, 10, 17, and 22 are canceled without prejudice or disclaimer. Claims 1 and 13 are amended to recite the subject matter of previously-pending claims 10 and 22, respectively, and are further amended to recite “using an Internet Protocol to send data.” Claims 43 and 44 are added.

No new matter is added. Support for the claim amendments can be found, for example, in U.S. Patent No. 7,630,724 (e.g., in col. 10:57 - col. 11:15, col. 12:63 - col. 13:26; and col. 16:42-59). Support for the new claims can be found, for example, in the ‘724 patent (e.g., in col. 4:52-65). It is noted that the ‘724 patent was incorporated by reference into the present application at the time of the present application’s filing.

Applicability of Post-AIA Provisions of the Patent Laws to the Present Application

The Office Action (p. 2) states that “[t]he present application is being examined under the pre-AIA first to invent provisions” of the patent laws. For the reasons stated in the Response

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filed on November 13, 2015, it is understood that the present application will be examined under the post-AIA, first-to-file provisions of the patent laws.

Interview Summary

Applicant thanks Examiner Obayanju for conducting a telephonic interview on January 21, 2016. The participants included Examiner Obayanju, Applicant's undersigned representative (Daniel J. Burns), and Applicant's attorney (Samuel S. Stone). The interview was held pursuant to a Proposed Interview Agenda that was emailed to the Examiner on January 21, 2016. Copies of the Interview Agenda and the email message are submitted herewith. A summary of the interview is provided below.

During the interview, the participants discussed the rejections of claims 1 and 32 under 35 U.S.C. § 102 as purportedly being anticipated by Melen. Applicant's representatives referred to the portions of Melen identified in the Proposed Interview Agenda, and pointed out that those portions of Melen do not teach or suggest the limitations of claim 1, nor the limitations of claim 32. No agreement was reached with respect to claim 1. Regarding claim 32, the Examiner agreed that the claim was not anticipated by Melen.

Claim Rejections Under 35 U.S.C. § 112

Claims 9, 12, 21, 24, 35, and 41 were rejected under 35 U.S.C. § 112 as purportedly failing to comply with the written description requirement. Reconsideration is respectfully requested. Since the application describes the subject matter of each of the claims in sufficient detail that one of ordinary skill in the art can reasonably conclude that the inventors had possession of the claimed subject matter at the time of the application's filing, each of the claims satisfies the written description requirement.

In particular, the Office Action alleges that there is insufficient written description support for sending "a request for a second map, wherein the request specifies a map location," as recited in claims 9 and 21. Support for the subject matter of claims 9 and 21 is found, for example, in U.S. Patent No. 7,630,724, which was incorporated by reference into the present application at the time of the present application's filing. For example, the '724 patent states that "[t]he cell phone device application software, however, can also provide the user the ability to

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