

EXHIBIT 5

Docket No.: MOC-003
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:
Malcolm K. Beyer, Jr.

Application No.: 14/695,233

Confirmation No.: 5326

Filed: April 24, 2015

Art Unit: 2646

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

Examiner: O. Obayanju

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION
UNDER 37 C.F.R. § 1.111**

In response to the Office Action dated August 31, 2015, in connection with the patent application identified above, the following Amendment and Response is respectfully submitted. The Commissioner is hereby authorized to charge excess claim fees to the credit card identified in this filing, and no additional fees are believed to be required. If any such fees are due, however, the Commissioner is hereby also authorized to charge such fees to Deposit Account No. 50-4634, referencing Docket No. MOC-003.

Please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 13 of this paper.

ACTIVE/84020600-2

Application No. 14/695,233
Amendment dated October 30, 2015
Reply to Office Action of August 31, 2015

13

Docket No.: MOC-003

REMARKS

Claims 1-30 were pending. In the present Amendment, claims 1-7, 11-17, and 21-27 are amended, claims 9, 19, and 29 are canceled without prejudice or disclaimer, and new claims 31-48 are added.

No new matter is added. Support for the claims amendments and new claims can be found, for example, in the claims as originally filed, and in U.S. Patent No. 7,031,728 col. 2, lines 11-12; col. 6, lines 5-28; col. 7, lines 15-22; col. 8, line 35 – col. 9, line 11; and col. 9, line 52 – col. 10, line 6. It is noted that U.S. Patent No. 7,031,728 was incorporated by reference into the present application at the time of the present application's filing.

Amendments to the Specification

The specification is amended herein to correct an error in the priority claim. In particular, the priority claim has been corrected to indicate that the U.S. Application No. 14/529,978 is a continuation-in-part (rather than a continuation) of U.S. Application No. 14/027,410. The same correction is included in the Corrected Application Data Sheet (ADS) filed herewith. MPEP § 211.03 states that no petition or surcharge is required for correcting a timely submitted benefit claim to correct the indicated relationship between applications from "continuation" to "continuation-in-part." Accordingly, entry of the correction and issuance of an updated Filing Receipt are respectfully requested.

In addition, for the Examiner's benefit, it is noted that a Petition to Accept an Unintentionally Delayed Priority Claim Under 35 U.S.C. § 120 was filed in U.S. Patent No. 8,364,129 ("the '129 patent") on September 21, 2015. The present application claims priority to the '129 patent, and claims priority through the '129 patent to other issued patents identified in the Petition. A copy of the Petition is filed herewith, for the Examiner's reference.

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

The present application claims the benefit of U.S. Application No. 14/529,978, which contains or contained a claim having an effective filing date on or after March 16, 2013. Accordingly, it is understood that the present application will be examined under the post-AIA, first-to-file provisions of the patent laws. See MPEP 2159.02 (March 2014).

ACTIVE/84020600.2