

EXHIBIT 3



In re Application of Serial No. Filed For

BEYER, Malcolm K., Jr. 10/711,490 September 21, 2004

CELLULAR PHONE/PDA COMMUNICATION SYSTEM

Mail Stop Non-Fee Amendment COMMISSIONER FOR PATENTS Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Sir:

- [X] Transmitted herewith is an amendment in the above-identified application. [X] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted. [X] No additional fee is required.

The fee has been calculated as shown below:

Table with columns for (Col. 1) CLAIMS REMAINING AFTER AMENDMENT, (Col. 2) HIGHEST NO. PAID FOR, (Col. 3) PRESENT EXTRA, SMALL ENTITY RATE/ADDIT. FEE, and OTHER THAN A SMALL ENTITY RATE/ADDIT. FEE. Includes rows for TOTAL, INDEP, and FIRST PRESENTATION OF MULTIPLE DEP. CLAIM.

- [] Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached. [] A Request for a One-Month Extension of Time together with a check in the amount of \$___ for the fee is attached. [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached. [X] Any filing fees under 37 CFR 1.16 for the presentation of extra claims. [] Any patent application processing fees under 37 CFR 1.17. [X] If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DiMAGGIO, P.A. 1936 South Andrews Avenue Ft. Lauderdale, FL 33316 (954) 763-3303

Respectfully submitted, Barry L. Haley, Reg. No. 25,339





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 8, 2005

In re application of : BEYER, Malcolm K., Jr.
Serial No. : 10/711,490
Filed : September 21, 2004
For : **CELLULAR PHONE/PDA
COMMUNICATION SYSTEM**
Examiner : MOE, Aung Soe
Art Unit : 2685
Our File No. : 10963.3801

AMENDMENT

Mail Stop Non-Fee Amendment
Hon. Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Office Action of August 10, 2005, this Amendment is submitted. Reconsideration is respectfully requested.

Amendment to the claims are on pages 2 through 9.

Remarks can be found on pages 10 through 19.

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Please amend the claims as follows:

1. (Currently Amended) A method of providing a cellular phone communication network for designated participating users, each having a similarly equipped cellular phone that includes a CPU, GPS navigational system and a touch screen display comprising the steps of:

a) providing for the selective polling of position and status information from one user among all of the other users equipped with cellular phone/PDA/GPS system and its associated software;

b1) providing for the entering of other entities of interest into the cellular phone CPU and assigning the other entities of interest a category;

b2) providing the latitude and longitude of the entities of interest along with their categories being automatically sent on the communications network;

c) providing rapid voice call initiation to one or more locations whose phone number is available in a geographical referenced database using the touch screen;

d) providing rapid voice call initiation to the users of the cellular phone/PDA/GPS network system using the touch screen;

e) providing ~~rapidly sent~~ rapid transmission of free, operator selected text messages, photographs, and video to another cellular phone using the touch screen;

f) providing rapid conference calling multiple phones that are contained within the geographical referenced data base; and

g) providing remote control from one cellular phone/PDA/GPS system to any of the other cellular phone/PDA/GPS system phones, including the ability to control remote

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cellular phones to make verbal announcements, display images, place return calls, place calls to another phone number, vibrate, change sound intensity and process and display pre-stored data, images and stored video.

2. (Currently Amended) A communication system to provide a cellular phone network for a group of participants, each of the participants having an individual portable cellular phone that includes voice communication, free and operator selected text messages, photographs and video, a CPU and a GPS navigational system that can accurately determine the location of ~~the~~ each cellular phone. ~~Each~~ each of the cellular phones in the communications net of participants ~~contains~~ containing:

a said CPU and memory;

a touch screen display;

symbol generator in said CPU that can generate symbols that represent each of the ~~participants~~ participants' cell phones in the communication network on the display screen;

a database that stores the individual telephone numbers related to each of the symbols each of which represents a participant in the communication network;

cellular phone call initiating software in said CPU connected to the telephone number database and the touch screen and the symbols on the touch screen whereby touching an individual symbol will automatically initiate a cellular phone telephone call to the ~~use~~ user represented by the symbol that includes said voice communication, free and operator selected text messages, photographs and video; and

said display including databases that display geographical information that

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