

Jc534 U.S. PTO



10/14/97

NEW UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(to be used for new applications only)

Docket No.
42895-cip

Total Pages in this Submission
3

TO THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53 is a new utility patent application for an invention entitled:

PERSONAL DATA NETWORK

and invented by:

Philip P. Carvey

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 40 pages and including the following:
 - Abstract of the Disclosure
 - Title of the Invention
 - Cross References to Related Applications *(if applicable)*
 - Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - Reference to Microfiche Appendix *(if applicable)*
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if drawings filed)*
 - Detailed Description
 - Claim(s) as Classified Below
3. Drawing(s) *(when necessary as prescribed by 35 USC 113)*
 - Formal Informal
 - Number of Sheets 8
4. Declaration
 - Executed Unexecuted With Power of Attorney Without Power of Attorney

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Application Elements (Continued)

5. Genetic Sequence Submission *(if applicable, all must be included)*
- Paper Copy
 - Computer Readable Copy
 - Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

6. Assignment Papers
7. Computer Program in Microfiche
8. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
9. Petition
10. Preliminary Amendment
11. Proprietary Information
12. Acknowledgment postcard
13. Certificate of Mailing
- First Class Express Mail *(Specify Label No.):* TB881713536US
14. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
15. English Translation Document *(if applicable)*

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Accompanying Application Parts (Continued)

16. Additional Enclosures *(please identify below)*:

Assignment; Assignment Recordation Form Cover Sheet (Form PTO-1595; Check for \$40.00 (recordal fee);

Added Pages For Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed (Five (5) pages).

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	11	- 20 =	0	x \$22.00	\$0.00
Indep. Claims	5	- 3 =	2	x \$82.00	\$164.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$790.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$954.00

- A check in the amount of **\$954.00** to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. **04-1105** as described below. A duplicate copy of this sheet is enclosed.
 - Charge the amount of _____ as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: October 14, 1997


Signature

Henry D. Pahl, Jr.
Dike, Bronstein, Roberts & Cushman, LLP
130 Water Street
Boston, MA 02109-4280
Tel. (617) 523-3400

ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

NOTE: "In order for an application to claim the benefit of a prior filed copending national application, the prior application must name as an inventor at least one inventor named in the later filed application and disclose the named inventor's invention claimed in at least one claim of the later filed application in the manner provided by the first paragraph of 35 U.S.C. 112." 37 CFR 1.78(a).

NOTE: "In addition the prior application must be (1) complete as set forth in § 1.51, or (2) entitled to a filing date as set forth in § 1.53(b) and include the basic filing fee set forth in § 1.16; or (3) entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(d)." 37 CFR 1.78(a).

17. Relate Back

WARNING: *If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. 120, 121 or 365(c). (35 U.S.C. 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.*

(complete the following, if applicable)

Amend the specification by inserting, before the first line, the following sentence:
"This application claims the benefit of the following:

A. 35 U.S.C. 119(e)

NOTE: "Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number)." 37 C.F.R. § 1.78(a)(4).

"U.S. Provisional Application(s) No(s):

APPLICATION NO(S):

FILING DATE

____ / _____
____ / _____
____ / _____

42895-CIP-5666880

B. 35 U.S.C. 120, 121 and 365(c)

NOTE: "Any nonprovisional application claiming the benefit of one or more prior filed copending nonprovisional applications or international applications designating the United States of America must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior application, identifying it by application number (consisting of the series code and serial number) or international application number and international filing date and indicating the relationship of the applications. Cross-references to other related applications may be made when appropriate. (See § 1.14(b))." 37 C.F.R. § 1.78(2).

- "This application is a
 - continuation
 - continuation-in-part
 - divisional

of copending application(s)

- application number 08 / 611,695 filed on March 6, 1996 "
- International Application _____ filed on _____ and which designated the U.S."

NOTE: The proper reference to a prior filed PCT application that entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application that designated the U.S.

NOTE: (1) Where the application being transmitted adds subject matter to the International Application, then the filing can be as a continuation-in-part or (2) if it is desired to do so for other reasons then the filing can be as a continuation.

- "The nonprovisional application designated above, namely application _____ / _____, filed _____, claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S):

FILING DATE

	"
	"
	"

NOTE: The deadline for entering the national phase in the U.S. for an international application was clarified in the Notice of April 28, 1987 (1079 O.G. 32 to 46) as follows:

"The Patent and Trademark Office considers the International application to be pending until the 22nd month from the priority date if the United States has been designated and no Demand for International Preliminary Examination has been filed prior to the expiration of the 19th month from the priority date and until the 32nd month from the priority date if a Demand for International Preliminary Examination which elected the United States of America has been filed prior to the expiration of the 19th month from the priority date, provided that a copy of the international application has been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively. If a copy of the international application has not been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively, the international application becomes abandoned as to the United States 20 or 30 months from the priority date respectively. These periods have been placed in the rules as paragraph (h) of § 1.494 and paragraph (i) of § 1.495. A continuing application under 35 U.S.C. 365(c) and 120 may be filed anytime during the pendency of the international application."

Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed
[4-1.1]—page 2 of 5)

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